

URBAN/MUNICIPAL
CAY ON HBL AOS
A 31
1995

AGENDA OF THE
MEETING OF THE COUNCIL
OF CITY OF HAMILTON

JAN 1995

URBAN/MUNICIPAL
CAY ON HBL AOS
A31
1995



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**MEETING OF THE COUNCIL
OF THE CORPORATION OF THE CITY OF HAMILTON**

**Tuesday, 1995 January 10
7:30 o'clock p.m.
Council Chambers, City Hall**

**J. J. Schatz
City Clerk**

A G E N D A

1. National Anthem.

URBAN MUNICIPAL

2. Opening Prayer:

JAN 10 1995

*Reverend Kelvin Honsinger
Mission Services of Hamilton*

GOVERNMENT DOCUMENTS

3. Adoption of the minutes from the meeting held 1994 December 13.

4. Correspondence.

5. Reports of the Standing Committees:

- (c) Planning and Development Committee
- (d) Finance and Administration Committee

6. Notices of Motion for Next Meeting.

7. First Reading of the Bills.

8. Second Reading of the Bills - Committee of the Whole.

9. Third Reading of the Bills.

10. Question Period.

11. Adjournment.

CONFIDENTIAL

CONFIDENTIAL

MINUTES

1994 December 13

Minutes of Hamilton City Council
Tuesday, 1994 December 13
7:30 o'clock p.m.
Council Chamber, City Hall

The Council met:

Present: Mayor R. M. Morrow
Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson,
Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross.

Mayor R. M. Morrow called the meeting to order.

* * * * *

The National Anthem was played.

* * * * *

Father Stephen Deak, St. Michael Hungarian Greek Catholic Church led Council in prayer.

ADOPTION OF MINUTES

The minutes of the meetings held 1994 November 8, December 1 and the special meeting held 1994 December 9 were adopted as circulated.

CORRESPONDENCE

1. Application dated 1994 November 14 from John and Corrine Martin, Hamilton, Ontario for a change in zoning from "B" (Suburban Agriculture and Residential, etc.) District (Block "1") and "AA" (Agricultural) District (Block "2") to "C" (Urban Protected Residential, etc.) District, for lands located at No. 100 Stone Church Road East, Hamilton, Ontario.

Received.

2. Application dated 1994 December 6 from 530149 Ontario Limited and Clara Ip, In Trust, Hamilton, Ontario for a modification to the "H" (Community Shopping and Commercial, etc.) District for the property at No. 366 to 368 King Street West.

Received.

3. Application dated 1994 December 6 from The Regional Municipality of Hamilton-Wentworth for a modification to the "AA" (Agricultural) District, for lands located at 680 Van Wagner's Beach Road (Confederation Park), Hamilton, Ontario.

Received.

4. Letter dated 1994 November 30 from T. W. Woodhouse, General Manager, Hydro-Electric Commission for the City of Hamilton respecting general retail rates charged to customers for electrical consumption in 1995.

Received.

5. Letter dated 1994 November 28 from Duncan M. Beattie, Chairman, Hamilton Harbour Commissioners respecting New Development Charges By-law.

Referred to the Finance and Administration Committee.

6. Letter dated 1994 November 24 from J. J. Schatz, City Clerk respecting an objection to By-law 94-178 respecting property at 180 Walnut Street South, Hamilton, Ontario.

Received.

7. Letter dated 1994 November 24 from J. J. Schatz, City Clerk respecting an objection to By-law 94-179 respecting property at 1200 Upper James Street, Hamilton, Ontario.

Received.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, and the Finance and Administration Committee, be considered in Committee of the Whole with Alderman Eisenberger in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0.

CARRIED.

TRANSPORT AND ENVIRONMENT COMMITTEE - FIRST REPORT

PARKS AND RECREATION COMMITTEE - FIRST REPORT

Section 8 Re: Resolutions - Red Hill Valley Remediation

It was moved by Alderman Agostino and seconded by Alderman D'Amico that Section 8 of the First Report of the Parks and Recreation Committee for 1994 be amended by adding sub-section (c) as follows:

That this approval be contingent upon an agreement from the Province for the alignment and construction of the roadway in the Red Hill Valley.

Recorded vote.

YEAS: Aldermen Agostino, Merling, D'Amico. -3.

NAYS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Charters, Jackson, Anderson, Ross. -14. **LOST.**

Section 9 Re: West Harbourfront Development Study Steering Committee

It was moved by Alderman Jackson and seconded by Alderman Agostino that Section 9 of the First Report of the Parks and Recreation Committee for 1994 be amended by adding sub-section (c) as follows:

That Alderman Bob Charters be appointed to the West Harbourfront Development Study Steering Committee as a representative of the Planning and Development Committee.

CARRIED.

PARKS AND RECREATION COMMITTEE - SECOND REPORT

Section 1 Re: 1995 Mum Show

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Morelli, Copps, Wilson, Agostino, Jackson. -10.

NAYS: Aldermen Drury, Eisenberger, Charters, Merling, Anderson, D'Amico, Ross.-7.

CARRIED.

PLANNING AND DEVELOPMENT COMMITTEE - SECOND REPORT

Section 25 Re: Demolition Permit - 98 Ward Avenue

Recorded vote.

YEAS: Mayor Morrow, Aldermen Agro, McCulloch, Drury, Copps, Wilson, Eisenberger, Charters, Merling, Anderson, D'Amico, Ross. -12.

NAYS: Aldermen Kiss, Caplan. -2.

CARRIED.

Section 26 Re: Removal of Development Control

It was moved by Alderman Charters and seconded Alderman Jackson that Section 26 of the Second Report of the Planning and Development Committee for 1994 be amended by deleting the words "respecting the removal of Development Control for those lands" starting in the third line and substituting in lieu thereof "to not remove all of the lands in Development Control".

CARRIED.

FINANCE AND ADMINISTRATION COMMITTEE - FIRST REPORT

Section 14 Re: Bell Advanced Communications - automated parking infraction notices.

Alderman Wilson declared personal interest in, took no part in the debate and refrained from voting on this matter. Alderman Wilson and his wife are employed by the parent Company.

ACTING MAYOR FOR THE MONTH OF JANUARY, 1995

It was moved by Alderman Kiss and seconded by Alderman Caplan that Alderman Bob Charters be appointed Acting Mayor for the month of January 1995.

CARRIED.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Parks and Recreation Committee, the Planning and Development Committee, and the Finance and Administration Committee, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Drury, Morelli, Copps, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -15.

NAYS: -0.

CARRIED.

BILLS

It was moved by Alderman Kiss and seconded by Alderman Caplan that the following Bills be read a first time:

A-1, A-2, A-3, A-4, A-5, A-6, A-7.
C-3, C-4, C-5, C-6, C-7, C-8, C-9.
D-2, D-3, D-4, D-5.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that Council move into Committee of the Whole to consider the following Bills, with Alderman Eisenberger in the chair. (second reading).

A-1, A-2, A-3, A-4, A-5, A-6, A-7.
C-3, C-4, C-5, C-6, C-7, C-8, C-9.
D-2, D-3, D-4, D-5.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: -0.

CARRIED.

* * * * *

Consideration of the Bills (second reading).

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the following Bills, be adopted:

A-1, A-2, A-3, A-4, A-5, A-6, A-7.
C-3, C-4, C-5, C-6, C-7, C-8, C-9.
D-2, D-3, D-4, D-5.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: -0. **CARRIED.**

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the following Bills, be now read a third time, signed, sealed and enrolled as By-laws:

A-1, A-2, A-3, A-4, A-5, A-6, A-7.
C-3, C-4, C-5, C-6, C-7, C-8, C-9.
D-2, D-3, D-4, D-5.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: -0. **CARRIED.**

1994 December 13

* * * * *

City Council then adjourned at 8:35 o'clock p.m.

* * * * *

Taken as read and approved.

MAYOR R. M. MORROW

S. G. Hollowell, Acting City Clerk
1994 December 13

SGH/dg

CORRESPONDENCE

Correspondence:

1. Application dated 1994 December 22 from Starward Homes Ltd. and Ward Campbell, Hamilton, Ontario for a change in zoning from "AA" (Agricultural) District to: "R-4" (Small Lot Single Family Dwelling) District for Blocks "1", "3", and "9"; "DE" (Multiple Dwellings) District, modified, for Block "2"; "C" (Urban Protected Residential, etc.) District for Blocks "4", "10", and "11"; and, "R-4" (Small Lot Single Family Dwelling) District, modified for Blocks "5", "6", "7", and "8", for lands located in the area south of the proposed Red Hill Creek Expressway, and west of West Fifth Street, Hamilton, Ontario.

Recommendation:

Be Received.

1995 January 10

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **THIRD** Report for 1995 and respectfully recommends:

1. A. That approval be given to Official Plan Amendment No. 129 to establish a Special Policy Area to permit a mixed use commercial/residential building for general offices and a kitchen cabinet showroom and one (1) dwelling unit in a Residential designation, for property located at 852 Upper Wentworth Street and that the City Solicitor be directed to prepare the By-law of Adoption for submission to the Regional Municipality of Hamilton-Wentworth.
- B. That approval be given to amended Zoning Application ZAC-94-26, Nicola Clarizio, owner, requesting a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc) District, modified, (Block "2") and a modification to the "C" (Urban Protected Residential, etc) District (Block "1") to permit general offices and a kitchen cabinet showroom on the first and second floor, and one dwelling unit on the second floor for lands located at 852 Upper Wentworth Street, as shown on the attached map marked as Appendix "A", on the following basis:
 - (a) That the amending By-law apply the holding provisions of Section 36(1) of the Planning Act, R.S.O. 1990, to the subject lands, by introducing the holding symbol 'H' as a suffix to the proposed Zoning District. The holding provision will prohibit the development of the subject lands until such time as a Site Plan Control Application has been submitted and approved.

City Council may remove the 'H' symbol, and thereby give effect to the "C" District - Modified provisions as stipulated in this By-law by enactment of an amending By-law once the condition is fulfilled; and,

1995 January 10

- (b) That Block "1" be rezoned from "C" (Urban Protected Residential, etc) District to "C" - 'H' (Urban Protected Residential, etc. - Holding) District; and,
- (c) That Block "2" be rezoned from "AA" (Agricultural) District to "C" - 'H' (Urban Protected Residential, etc. - Holding) District; and,
- (d) That the "C" (Urban Protected Residential, etc) District regulations as contained in Section 9 of Zoning By-law No. 6593, applicable to the subject lands, shown as Blocks "1" and "2", be modified to include the following variances as special requirements:
 - (i) That notwithstanding Section 9(1), of Zoning By-law No. 6593, the following uses shall be permitted:
 - (1) General offices and a kitchen cabinet showroom on the first and second floor and having a maximum total gross floor area of not more than 95.0m²; and,
 - (2) One dwelling unit on the second floor; and,
 - (3) An unlighted name plate having an area of not more than 0.2 square metres attached to and, as nearly as practicable, flush with the wall of the building; and,
 - (ii) That Section 18A(26) of Zoning By-law No. 6593 shall not apply; and,
 - (iii) That a minimum 3.0 m wide landscape planting strip and a visual barrier not less than 1.2 m in height and not greater than 2.0 m in height shall be provided and maintained along the westerly lot line of Block "1".
- (e) That the amending by-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1336, and that the subject lands on Zoning District Map E-18 be notated S-1336; and,

- (f) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-18 for presentation to City Council; and,
 - (g) That the proposed changes in zoning will be in conformity with the Official Plan for the Hamilton Planning Area upon approval of Official Plan Amendment No. 129 by the Regional Municipality of Hamilton-Wentworth; and,
 - (h) That the approved Bruleville Neighbourhood Plan be amended to change the designation of the lands located at 852 and 860 Upper Wentworth Street from "Medium Density Apartments" to "Commercial/Residential Conversion" and "Single and Double Housing".
- C. That Site Plan Control By-law No. 79-275, as amended by By-law 87-233, be amended by adding the subject lands to Schedule "A".
- 2. That the Building Commissioner be authorized and directed to continue to enforce Zoning By-law #6593 on a request for service basis except in the case of the anonymous list of 75 complaints against Recreational Vehicles in Residential Zoning Districts on which he is to take no further action.
 - 3. That the appropriate staff (eg. Law and Planning Departments) be authorized to attend the Ontario Municipal Board hearing regarding an appeal to the Committee of Adjustment decision to deny Application No. A-94:225, respecting property located at 476 and 478 Upper Wellington Street.
 - 4. (a) That approval be given to the "Intent to Designate" the Lister Block at 28-44 James Street North/5-21 King William Street as a property of historical and architectural value, pursuant to the provisions of the Ontario Heritage Act, 1983, as outlined in the Reasons for Designation attached herewith and marked as Appendix "B", and
 - (b) That the City Solicitor be authorized and directed to take appropriate action to have this property designated pursuant to the provisions of the Ontario Heritage Act, 1983.

5. That a Hamilton Emergency Loan (H.E.L.P.) in the amount of three hundred and forty-nine dollars (\$349.) be approved for William and Karen Codd, 50 Robins Avenue. The interest rate will be 8 per cent amortized over 5 years.
6. That the Building Commissioner be authorized to issue a demolition permit for 37 Dickson Street in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act, as amended.
7. That the Building Commissioner be authorized to issue a demolition permit for 80 Hillyard Street in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act, as amended.
8. That the Building Commissioner be authorized to issue a demolition permit for 535 Wentworth Street North in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act, as amended.
9. (a) That Schedule 'B' of By-law No. 86-212, as amended, appointing the International Village B.I.A. Board of Management be repealed and the following names substituted:

Wolfgang Schoen	Black Forest Inn
Paul Kircos	Alexanian Carpets
Gord Thompson	Thompson Jewellery and Pawn
John Kenyon	Payne Music
Jason Kropf	Rave Records
Pat J. Connell	Canadian Imperial Bank of Commerce
Agostino Ammendolia	Ammendolia Realty
- (b) That the City Solicitor be authorized and directed to amend Schedule 'B' of By-law No. 86-212 pursuant to (a) above.
10. (a) That the 1995 operating budget of the International Village B.I.A. (attached as Appendix "C") be approved in the amount of forty-six thousand, three hundred and seventy-six dollars (\$46,376.); and,
- (b) That the City Treasurer be hereby authorized and directed to prepare the requisite By-law pursuant to Section 220, the Municipal Act, R.S.O.1990, to levy the 1995 budget as referenced in (a) above; and,

1995 January 10

- (c) That the following Schedule of Payments for 1995 be approved:

January 01	\$23,188.
September 01	\$23,188.

Note: 1994 Levy Arrears will be deducted from the payments for 1995.

11. (a) That Schedule 'A' and 'B' of By-law No. 86-98, as amended, appointing the Westdale Village B.I.A. Board of Management, be repealed and the following names substituted:

Schedule 'A'

Alderman M. Kiss
Alderman M. Caplan

Schedule 'B'

D. Upsdell	Oddities
S. Snider	The Picture Frame
F. Wands	Retirement Counsel of Canada
M. B. Ledden	Judy Marsales Real Estate
R. Lahie	Jack Carruth Shoe Store
G. Ditner	Cottage Florist
D. Simpson	Simpson Watson and Vujnovic
J. Rosenweig	Chez Bon Bon

- (b) That the City Solicitor be authorized and directed to amend Schedule 'A' and 'B' of By-law 86-98 pursuant to (a) above.
12. (a) That the 1995 operating budget of the Westdale Village B.I.A. (attached as Appendix "D") be approved in the amount of twenty-five thousand dollars (\$25,000.); and,
- (b) That the City Treasurer be hereby authorized and directed to prepare the requisite By-law pursuant to Section 220, the Municipal Act, R.S.O. 1990, to levy the 1995 budget as referenced in (a) above; and,

1995 January 10

- (c) That the following Schedule of Payments for 1995 be approved:

January 15	\$6,250.
March 15	\$6,250.
June 15	\$6,250.
September 15	\$6,250.

Note: 1994 Levy Arrears will be deducted from the payments for 1995.

13. (a) That Schedules 'A' and 'B' of By-law No. 92-078, as amended, appointing the Main West Esplanade B.I.A. Board of Management, be repealed and the following names substituted:

Schedule 'A'

Alderman M. Kiss
Alderman M. Caplan

Schedule 'B'

M. Farrugia	Calla Decor and Design
A. Perniac	Lorne Haverty Limited
J. Castellano	Castellano Real Estate
J. Morrison	Royal Bank
M. Barnard	Barnard Speziale Design Associates Ltd.

- (b) That the City Solicitor be authorized and directed to amend Schedules 'A' and 'B' of By-law No. 92-078 pursuant to (a) above.
14. (a) That the 1995 operating budget of the Main West Esplanade B.I.A. (attached as Appendix "E") be approved in the amount of four thousand, four hundred dollars (\$4,400.); and,
- (b) That the City Treasurer be hereby authorized and directed to prepare the requisite By-law pursuant to Section 220, the Municipal Act, R.S.O. 1990, to levy the 1995 budget as referenced in (a) above; and,

1995 January 10

- (c) That the following Schedule of Payments for 1995 be approved:

January 15	\$1,100.
March 15	\$1,100.
June 15	\$1,100.
September 15	\$1,100.

Note: 1994 Levy Arrears will be deducted from the payments for 1995.

15. (a) That Schedule 'A' and 'B' of By-law No. 87-308, as amended, appointing the Barton General B.I.A. Board of Management be repealed and the following names substituted:

Schedule 'A'

Alderman B. Morelli
Alderman D. Drury

Schedule 'B'

Keith Cody	Cody's Wallcoverings
Marko Tollis	The Riviera Banquet Centre
Janice Robinson	Royal Bank
Mark Daily	Marco's Pizza and Subs

- (b) That the City Solicitor be authorized and directed to amend Schedule 'A' and 'B' of By-law No. 87-308 pursuant to (a) above.

16. (a) That the 1995 operating budget of the Barton General B.I.A. (attached as Appendix "F") be approved in the amount of six thousand dollars (\$6,000.); and,
- (b) That the City Treasurer be hereby authorized and directed to prepare the requisite By-law pursuant to Section 220, the Municipal Act, R.S.O. 1990, to levy the 1995 budget as referenced in (a) above; and,

1995 January 10

- (c) That the following Schedule of Payments for 1995 be approved:

January 01	\$1,500.
March 01	\$1,500.
June 01	\$1,500.
September 01	\$1,500.

Note: 1994 Levy Arrears will be deducted from the payments for 1995.

17. (a) That Schedule 'A' and 'B' of By-law No. 86-99, as amended, appointing the Ottawa Street B.I.A. Board of Management be repealed and the following names substituted:

Schedule 'A'

Alderman B. Morelli
Alderman D. Drury
Alderman G. Copps
Alderman D. Wilson

Schedule 'B'

Gord Culshaw	A & B Catering
Michael Kier	Surplus-Plus
Gerald R. Carrey	Howard's Flower Shoppe
John Gut	The Textile Centre
John Driscoll	Price Busters
Edith Desmarais	Fred Gregory Florist
Rosemary Young	Wentworth Paints
Greta Munt	Greta's Flaire
Herb Pelz	E-Z Type Design
Tony Bifano	Anton's Video

- (b) That the City Solicitor be authorized and directed to amend Schedule 'A' and 'B' of By-law No. 86-99 pursuant to (a) above.

18. (a) That the 1995 operating budget for the Ottawa Street B.I.A. (attached as Appendix "G") be approved in the amount of forty-seven thousand, five hundred dollars (\$47,500.); and,

(b) That the City Treasurer be hereby authorized and directed to prepare the requisite By-law pursuant to Section 220, the Municipal Act, R.S.O. 1990, to levy the 1995 budget as referenced in (a) above; and,

(c) That the following Schedule of Payments for 1995 be approved:

January 15	\$11,875.
March 15	\$11,875.
June 15	\$11,875.
September 15	\$11,875.

Note: 1994 levy arrears will be deducted from the payments for 1995.

19. (a) That Schedule 'B' of By-law No. 86-73, as amended, appointing the Downtown Hamilton B.I.A. Board of Management, be repealed and the following names substituted:

R. Titian	Reggie's Music and Sound
G. Attard	Geraldo's/Ramada Hotel
D. Kinash	Gaslight Tavern
T. Fraleigh	Tefcom Ltd./Grindstone Properties
P. Bhatia	Accountax and Paralegal
W. Gervosky	Leeds of Hamilton
A. Morgante	Adventure Attic
M. Caplan	Marvin Caplan Gentlemen's Apparel
J. Livingston	Livingston Furs
R. Harris	Harris and Henderson
D. Hannah	Canadian Imperial Bank of Commerce

(b) That the City Solicitor be authorized and directed to amend Schedule 'B' of By-law No. 86-73 pursuant to (a) above.

1995 January 10

20. (a) That the operating budget of the Downtown Hamilton B.I.A. (attached as Appendix "H") be approved in the amount of eighty-four thousand dollars (\$84,000.); and,
- (b) That the City Treasurer be hereby authorized and directed to prepare the requisite By-law pursuant to Section 220, the Municipal Act, R.S.O. 1990, to levy the 1995 budget as referenced in (a) above; and,
- (c) That the following Schedule of Payments for 1995 be approved:
- | | |
|--------------|-----------|
| January 15 | \$21,000. |
| March 15 | \$21,000. |
| June 15 | \$21,000. |
| September 15 | \$21,000. |

NOTE: 1994 Levy Arrears will be deducted from the payments for 1995.

21. (a) That Schedules 'A' and 'B' of By-law No. 86-144, as amended, appointing the Concession Street B.I.A. Board of Management be repealed and the following names substituted:

Schedule 'A'

Alderman H. Merling
Alderman T. Anderson

Schedule 'B'

Betty Toplack	Mountain Bookstore
Ray Devries -	Ford & Associates
Roger Burroughs	Camtech
Norm Woolcott	Woolcott's Shoes

- (b) That the City Solicitor be authorized and directed to amend Schedules 'A' and 'B' of By-law No. 86-144 pursuant to (a) above.

1995 January 10

22. (a) That the 1995 operating budget of the Concession Street B.I.A. (attached as Appendix "I") be approved in the amount of eight thousand, five hundred and seventy-five dollars (\$8,575.); and,
- (b) That the City Treasurer be hereby authorized and directed to prepare the requisite By-law pursuant to Section 220, the Municipal Act, R.S.O. 1990, to levy the 1995 budget as referenced in (a) above; and,
- (c) That the following Schedule of Payments for 1995 be approved:

January 15	\$2,143.75
March 15	\$2,143.75
June 15	\$2,143.75
September 15	\$2,143.75

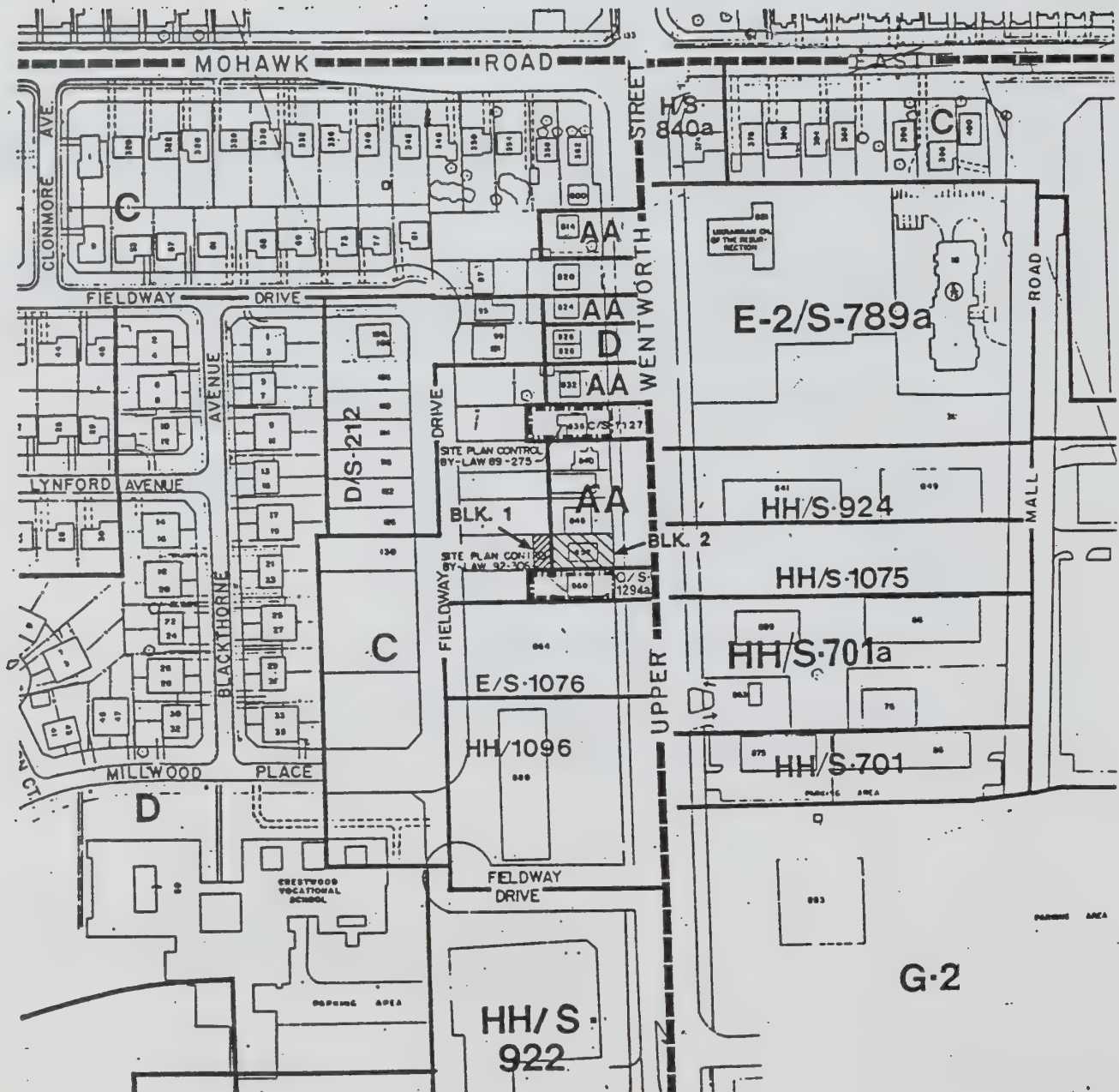
Note: 1994 Levy Arrears will be deducted from the payments for 1995.

RESPECTFULLY SUBMITTED,



**ALDERMAN D. DRURY, CHAIRPERSON
PLANNING AND DEVELOPMENT
COMMITTEE**

**Stella Glover
Secretary**

1994 January 4



Legend

- BLOCK 1  Proposed modification to the "C" (Urban Protected Residential, etc.) District.
- BLOCK 2  Proposed change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, modified.


ZAC-94-26

REASONS FOR DESIGNATION**Lister Block****28–44 James Street North / 5–21 King William Street****Context**

The imposing six-storey retail/office building known as the *Lister Block* has been a prominent downtown landmark since erected in 1923 at the north-east corner of James Street North and King William. Its height, corner location, large double street frontage, and assertive architectural design have all contributed to its dominant character. An anchor block on both streets, its strong presence has been further accentuated in recent years by two major changes to the historic James North streetscape: the replacement of the four- and six-storey T. Eaton Co. department store (1916/20) to the north-west by the lower Eaton Centre (1990) and the large gap created by the demolition of the 1929 Zeller's building to the south.

The Lister Block originally stood in the heart of Hamilton's civic core, directly across from the City Hall (1888) and Market Square, and just south of the Federal Building (1856/1920). The downtown urban renewal scheme, initiated by the opening of the new City Hall in 1960, however, gradually shifted the focus of civic and cultural activity away from James Street North, resulting in the loss of two major Victorian landmarks: the old City Hall and the Grand Opera House (1880) located two blocks to the north.

From an urban design perspective, full advantage was taken of the corner site. Equal architectural emphasis was given to the six- and eight-bay street elevations, with entrances provided to the L-shaped arcade from both James and King William. The use of the traditional truncated corner served to orient the building both to the intersection of James and King William and the open space beside City Hall, known as Market Square. Despite changes to the original street pattern and built forms, the Lister Block still relates very well to its setting and maintains a commanding presence.

History

The Lister Block site is noteworthy for its long-term association with the Lister family, dating back to the 1850s when the original four-storey stone commercial block was erected for Joseph Lister. Following a devastating fire in 1923 which left the structure in ruins, plans were immediately drawn up for a larger, six-storey fireproof building by his son and manager since 1911, J.E. Lister. It was Lister's proclaimed ambition to provide the most up-to-date and central accommodation for small merchants at the lowest possible rents: stores facing James and King William, a two-level interior shopping arcade and office suites on the upper four floors. Within several years, Lister's ambitious project proved to be a success, attracting a variety of retail stores as well as service-oriented businesses and agencies (e.g. cafes, barber shops, beauty salons, medical practitioners, accountants, real estate agents, building societies, and charitable organizations). Joseph and J.E. Lister were both successful businessmen who demonstrated the family's confidence in and commitment to Hamilton through their respective Lister Block developments.

The present Lister Block remained largely occupied until the mid-1970s. Long-standing tenants have included the Tait-Gibson Optical House, one of the first occupants in 1927 and still located at #44, Anne Foster Music Shop at #36 since 1942, and the former White Grill Restaurant, located at #40 for over forty years.

Architecture

The Lister Block is significant as Hamilton's oldest surviving major retail/office complex with a large interior arcade. It also ranks among the city's best surviving examples of the decorative use of terra cotta. Moreover, it is one of the most distinctive buildings designed by the local architectural firm of Bernard Prack & Co. (later Prack & Prack), whose achievements included the tall Gothic-inspired 1929 Pigott Building. Typical of early 20th century office buildings, the Lister Block combined technically advanced fire-proof construction with traditional architectural materials and forms. Stylistically, it followed the Renaissance Revival precedent adopted for Hamilton's pre-modern tall buildings, such as the Royal Connaught Hotel (1914-16), and was similarly characterized by the tripartite division of its facades into base, shaft and capital, all articulated by classical elements and details. The massing of the Lister Block, however, more closely resembled that of the early 20th century department store, with its bulkier proportions and horizontal emphasis (as exemplified by the original T. Eaton Co. building).

To the architect's credit, the Lister Block is distinguished by the clear architectural expression of its dual function, the skilful handling of Renaissance Revival forms, and high-quality materials employed in a visually effective manner. The building consists of a reinforced concrete frame clad in brick, terra cotta and sheet copper. The white glazed terra-cotta facade of the lower two stories of retail space comprises fluted pilasters supporting an entablature punctuated by decorative medallions aligned with the capitals. Set within this classical framework are the individual storefronts and wide display windows above. In contrast, the facade of the four stories of office space above is divided into bays of tall sash windows and copper spandrel panels by piers of dark brown rug brick. Crowning the facade is a white glazed terra-cotta entablature similar in design to the lower one, but more elaborate.

The L-shaped interior arcade, claimed at the time of its opening to be the first in Hamilton with a second level of shops, is also noteworthy for its architectural treatment: corridors with marble and patterned terrazzo flooring lined with varnished wood and plate-glass storefronts, and at street level, decorative plasterwork in the form of arches sprung from classical pilasters, and square skylights (originally domed on the interior).

The Lister Block has, to a large extent, preserved its original architectural character. Most of its original exterior and interior features are intact; and exterior alterations have mainly occurred at ground floor level: most noticeably, the partial removal of two corner pilasters. Only the storefront of Anne Foster Music (#36) still stands unaltered.

Designated Features

Important to the preservation of the Lister Block are the original architectural features of:

- the two street facades (west and south), including all original windows, the one original storefront at #36, and the decorative terra-cotta and copper work, but excluding recent alterations to the storefronts and arcade entrances;
- the two-level interior arcade, including the shopfronts, decorative plasterwork, marble and terrazzo flooring, and skylights (excluding the recent bubble domes).

INTERNATIONAL VILLAGE B.I.A. APPROVED BUDGET - 1995 (January 01-December 31, 1995)

<u>OPERATIONS:</u>	<u>Gross</u>	<u>Recovery*</u>	<u>Net</u>
Office Costs	\$ 3,500.	\$ 2,000.	\$ 1,500.
Utilities/Telephone	1,400.	900.	500.
Supplies	1,500.	1,000.	500.
Bank Charges	<u>450.</u>	<u>200.</u>	<u>250.</u>
	\$ 6,850.	\$ 4,100.	\$ 2,750.
<u>WAGES:</u>			
Executive Director	\$20,000.	\$ 6,000.	\$14,000.
Wage Costs	<u>2,300.</u>	<u> </u>	<u>\$ 2,300.</u>
	\$22,300.	\$ 6,000.	\$16,300.
Training	<u> </u>	<u>2,250.</u>	<u>(2,250.)</u>
	\$22,300.	\$ 8,250.	\$14,050.
Insurance	\$ 1,000.		\$ 1,000.
Audit	300.		300.
Advertising & Promotion:			
Print	3,500.		3,500.
Radio	3,500.		3,500.
Promotion	<u>8,000.</u>	<u>1,724.</u>	<u>5,800.</u>
	\$16,300.	\$ 1,724.	\$14,576.
Allowance on uncollected '94 Levy	<u>\$15,000.</u>	<u> </u>	<u>\$15,000.</u>
	<u>\$60,450.</u>	<u>\$13,350.</u>	<u>\$46,376.</u>

* Based on 3 Job Development Clients May to December

Appendix "D" referred
to in Section 12 of the
THIRD Report of the
Planning and Development
Committee for 1995.

WESTDALE VILLAGE B.I.A. APPROVED 1995 BUDGET

Office & Internal Expenses	\$2,500.
Advertising	\$3,000.
Sidewalk Sale	\$2,000.
Insurance	\$ 500.
Hydro	\$ 500.
Auditor	\$ 500.
Beautification	\$2,000.
Christmas Decorations	\$1,500.
Walk of Hope	\$1,000.
Festival	\$4,000.
Allowance on uncollected '94 levies	\$7,500.
TOTAL	<u>\$25,000.</u>

Appendix "E" referred
to in Section 14 of the
THIRD Report of the
Planning and Development
Committee for 1995.

MAIN WEST ESPLANADE B.I.A. APPROVED 1995 BUDGET

Christmas Decorations	\$1,800.
Insurance	\$ 500.
Auditor	\$ 400.
Hydro	\$1,400.
Meeting Costs	\$ 300.
	<u>\$4,400.</u>

Appendix "F" referred
to in Section 16 of the
THIRD Report of the
Planning and Development
Committee for 1995.

BARTON GENERAL B.I.A. - 1995 APPROVED BUDGET

<u>ITEM</u>	<u>AMOUNT</u>
Street Festival	\$4,000.
Advertising	\$1,000.
Hall Rentals and Lunches	\$ 500.
Contingency Fund	\$ 500.
	—
<u>TOTAL</u>	<u>\$6,000.</u>

Appendix "G" referred
to in Section 18 of the
THIRD Report of the
Planning and Development
Committee for 1995.

OTTAWA STREET B.I.A. 1995 APPROVED BUDGET

Advertising:		
Christmas	\$3,500.	
Summmer Festival	\$4,500.	
Special Promotions	<u>\$2,500.</u>	
		\$10,500.
Contingency Fund:	\$20,000.	\$20,000.
Garbage Removal:	12 x \$100.	\$ 1,200.
Insurance:	\$900.	\$ 900.
Office:		
Printing	\$2,500.	
Administration	\$1,000.	
Rent	\$1,200.	
Utilities	\$1,200.	
Telephone	<u>\$ 800.</u>	\$ 6,700.
Street Cleaner's Wages:	35 x \$180.	\$6,300.
Street Cleaner's Benefits:	15% (wages)	\$ 945.
Street Cleaner's Supplies:	\$ 955.	\$8,200.
	<u>TOTAL</u>	<u>\$47,500.</u>

Appendix "H" referred
to in Section 20 of the
THIRD Report of the
Planning and Development
Committee for 1995.

DOWNTOWN HAMILTON B.I.A. APPROVED 1995 BUDGET

General Administration	\$29,000.
Fountain Foundation	\$10,000.
Strategic Plan	\$ 4,000.
Committee Fund	\$20,000.
Reserve	\$21,000.
TOTAL	<u>\$84,000.</u>

Appendix "I" referred
to in Section 22 of the
THIRD Report of the
Planning and Development
Committee for 1995.

CONCESSION STREET B.I.A. APPROVED 1995 BUDGET

Advertising and Promotion

Installation & Storing of Christmas Decorations	4,000.
Hydro - Christmas Lights	800.
Advertising and Promotion	2,425.
	7,225.

Administration

Association Dues	400.
Insurance	550.
Accounting	300.
Bank Charges	100.
	1,350.

Office

Newsletter	500.
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Other

Miscellaneous	500.
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\$9,575.

Income Other Sources \$1,000.

\$8,575.

TOTAL LEVY

1995 January 10

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **SECOND** Report for 1995 and respectfully recommends:

1. (a) That the City resolve Ontario Court (General Division), Small Claims Court Action No. 1107/94 by the payment to the Plaintiff, Kathleen Corbett of the sum of \$3,000. inclusive of all claims for damages, interest and costs; and,

(b) That the Plaintiff be required to execute a Full and Final Release in a form satisfactory the City Solicitor; and,

(c) That Ontario Court (General Division), Small Claims Court Action No. 1107/94 be dismissed without costs.
2. That the City withdraw the request for Leave to Appeal of the decision of the Provincial Court in the Sun Studio Tanning Centres Ltd. case which struck down a provision of By-Law No. 93-071.
3. (a) That Section 24 of the Fourteenth Report for 1994 of the Finance and Administration Committee, and Bylaw 94-159 adopted by Council on 1994 September 27th, authorizing an Agreement to extend the time open for the payment of tax arrears for property at 39 Mary Street upon specified terms, be amended to approve the following revised terms :
 - (i) To extend the date for payment of the balance in full, with interest, of 1994 arrears of business taxes from 1994 December 31 to 1995 January 22; (Business Tax Roll numbers 02-01535-0940-0020-941 and 01-01035-3120-0020-941); and,
 - (ii) To extend the time open for the payment of realty tax arrears, by monthly instalments each and every month during 1995, commencing 1995 January 22 (such payment also including portion of 1995 realty taxes), such that all realty tax arrears (and 1995 realty taxes) are paid in full on or before 1995 December 22; and,

1995 January 10

- (b) That the City Solicitor be authorized to prepare for presentation to Council the appropriate By-law to amend Bylaw 94-159 to authorize these amendments and to authorize an agreement to amend the Extension Agreement dated September 28, 1994; and,
 - (c) That the Mayor and City Clerk be authorized to execute the By-law and the Amending Extension Agreement.
4. That the listing of Appointments To and Terminations From Permanent Positions with the Corporation of the City of Hamilton to 1994 December 19, attached herewith and marked Appendix "A", be approved.
5. That the following amendment to the International Union of Bricklayers and Allied Craftsmen, Local 1, contract be received pursuant to the Fair Wage Policy of the Corporation of the City of Hamilton:

(Conditions remain in effect until 1994 April 30)

<u>Eff.</u> <u>Date</u>	<u>Hrly. Wage</u> <u>Rate</u>	<u>I.U.</u> <u>Pension</u>	<u>Welfare</u>
1994 Nov. 1	\$23.29	\$1.00	\$1.53

6. (a) (i) That an Offer to Purchase, duly executed by the Purchasers Corrine Martin and John Martin, on 1994 December 19 and scheduled to close thirty (30) days following the completion of the conditions set out in Schedules "B" and "C" of the Offer or 1995 May 17 whichever is earlier, for the purchase of a vacant parcel of land, being part of Lot 14, Concession 8, in the former Township of Barton, now in the City of Hamilton, having frontage located on the easterly limit of DiCenzo Drive of 28.423 metres (93.25 feet) more or less, containing an area of 372.15 square metres (4,005.9 square feet) more or less, be approved and completed and the funds derived from this sale of \$2. be credited to Account No. CH 4X501 00102 (Reserve for Property Purchases); and,

- (ii) That the closing of this Offer to Purchase be subject to the City of Hamilton accepting and completing an Option to Purchase, executed by Corrine Martin and John Martin, for the purchase of part of the property at 100 Stone Church Road East, Hamilton by the City. The said Option to Purchase and this Offer to Purchase are to be accepted by City Council concurrently and both properties are to be finalized contemporaneously with each other; and,
- (iii) That the closing of the transfer to Corrine Martin and John Martin be conditional upon the transfer to the City by Corrine Martin and John Martin provided for in the Option to Purchase referred to above; and,
- (iv) That this Offer to Purchase be conditional upon each of the following events taking place prior to the closing date:
 - (1) A City by-law being approved and passed to rezone the subject lands from "B" to "B-2" and "B-2" modified in accordance with the requirements of the Planning Act, R.S.O. 1990, c.P-13, (Planning Act); and,
 - (2) A consent to sever adjacent lands owned by the Purchaser, being obtained in accordance with the requirements of the Planning Act; and,
 - (3) A period of at least thirty (30) days elapsing since the passage of the by-law and the consent to land severance referred to in (1) and (2) above within which time period no appeal has been launched at the Ontario Municipal Board pursuant to the provisions of the Planning Act, and the by-law and consent having therefore become final and binding; and,
 - (4) The Purchaser and the Vendor (the City) mutually agree that the herein Offer shall not be assigned; and,
 - (5) That in the event that the above conditions are not met, then this Offer to Purchase shall be null and void; and,

1995 January 10

- (6) That as these conditions are for the benefit of the Purchaser, the Purchaser may, at any time on or before the closing date, at its option, by written notice to the City, waive the benefit of these conditions. Such notice shall be given to the City prior to the closing date; and,
- (b) (i) That an Option to Purchase, duly executed by the owners, Corrine Martin and John Martin, on 1994 December 19 and scheduled to close thirty (30) days following the completion of the conditions set out in Schedules "B" and "C" of the Option or 1995 May 17 whichever is earlier, for the purchase by the City of a vacant parcel of land being part of Lot 14, Concession 8, in the former Township of Barton, now in the City of Hamilton, containing an area of 451.57 square metres (4,860.9 square feet) more or less, being part of 100 Stone Church Road East, Hamilton, be approved and completed and the purchase price of \$2. be charged to Account No. CH 5X301 00102 (Reserve for Property Purchases); and,
- (ii) That the closing of this Option to Purchase be subject to the City of Hamilton accepting and completing an Offer to Purchase, executed by Corrine Martin and John Martin, for the purchase of part of the property being part of Lot 14, Concession 8, in the former Township of Barton, in the City of Hamilton. The said Offer to Purchase and this Option to Purchase are to be accepted by City Council concurrently and both properties are to be finalized contemporaneously with each other; and,
- (iii) That the closing of the transfer to the City is conditional upon the transfer to Corrine Martin and John Martin by the City provided for in the Offer to Purchase referred to above; and,
- (iv) That this Option to Purchase be conditional upon each of the following events taking place prior to the closing date:
 - (1) A City by-law being approved and passed to rezone the subject lands from "B" to "B-2" and "B-2" modified in accordance with the requirements of the Planning Act, R.S.O. 1990, c.P-13, ("Planning Act"); and,

1995 January 10

- (2) A consent to sever adjacent lands of the Owner being obtained in accordance with the requirements of the Planning Act; and,
 - (3) A period of at least thirty (30) days elapsing since the passage of the by-law and the consent to land severance referred to in (1) and (2) above within which time period no appeal has been launched at the Ontario Municipal Board pursuant to the provisions of the Planning Act, and the by-law and consent having therefore become final and binding; and,
 - (4) The Owner and City mutually agree that the herein Option shall not be assigned; and,
 - (5) That in the event that the above conditions are not met, then this Option to Purchase shall be null and void; and,
 - (6) That as these conditions are for the benefit of the Owner, the Owner may, at any time on or before the closing date, at its option, by written notice to the City, waive the benefits of these conditions. Such notice shall be given to the City prior to the closing date; and,
- (c) That Corrine Martin and John Martin are solely responsible for all costs associated with the rezoning of their lands and the abutting lands of the City, including but not limited to the costs of preparing the appropriate sign and placing said sign on the subject property together with any and all fees and rezoning application costs; and,
 - (d) That the City at its sole expense shall prepare and register a reference plan identifying the lands being purchased herein and detailing the limits of the seven lots to be created by the joint development of the City and the Martin's lands; and,
 - (e) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.

1995 January 10

7. That leave be granted to introduce the following Bills:

- (a) D-6 A By-law to Amend By-law No.89-253 regarding the Financing of Sam Lawrence Park.
- (b) D-7 A By-law to Authorize an Amending Agreement to an Extension Agreement for Payment of Realty Tax Arrears.
- (c) D-8 A By-Law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

Respectfully Submitted,

**ALDERMAN B. CHARTERS, CHAIRPERSON
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan K. Reeder
Secretary
1995 January 3**

Appendix "A" referred
to in Section 4 of the
SECOND Report of the
Finance and Administration
Committee for 1995.

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>STATUS</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>EFFECTIVE DATE</u>
Mr. Kea Harrop	I	Manager Community Services Culture & Recreation (H)		New Position Council Approved February 22, 1994	\$58,386.12 to \$68,816.28	Nov. 07/94
Mr. Ronald Henderson	I	Truck Driver (D-11)	Public Works	Replacing Mr. N. Ruggiero - promoted, Oct. 03/94	\$34,956.48	Nov. 21/94
Mr. Ron Kitchen	I	Truck Driver (D-11)	Public Works	Replacing Mr. K. Addison - promoted, Oct. 03/94	\$34,956.48	Nov. 21/94
Mr. William Moffatt	I	Manager of Arenas & Technical Services (H)	Culture & Recreation	New Position Council Approved February 22, 1994	\$58,386.12 to \$68,816.28	Nov. 07/94
Mr. Robert Parsik	I	Truck Driver (D-11)	Public Works	Replacing Mr. M. Holmes - promoted, Oct. 03/94	\$34,956.48	Nov. 21/94

Prepared December 19/94

Status
Internal - I
External - E

1995 January 10

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>STATUS</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>EFFECTIVE DATE</u>
Ms. Marlene Romanoski	I	Realty Tax Clerk Typist (7-F)	Treasury	Replacing Ms. E. Arcas - promoted October 17/94	\$26,258.96 to \$28,542.80	Oct. 17/94
Ms. Lucy Smith	I	Parking Control Officer (13-I)	Traffic	Replacing Mr. H. Murray - terminated, Oct. 01/94	\$32,560.32 to \$37,396.32	Nov. 21/94

Prepared December 19/94

Status
Internal - I
External - E

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. Luigi Amati	Lead Hand/Truck Driver	Public Works	Retired (Early)	29 years, 5 months	Dec. 30/94
Mr. Dave Billyard	General Foreman/Woman	Public Works	Retired (Early)	27 years, 5 months	Dec. 30/94
Mr. Alex Biro	Paralegal/Prosecuter	Law	Retired (Early)	32 years, 7 months	Dec. 30/94
Mr. Andy Boers	General Foreman/Woman	Public Works	Retired (Early)	26 years, 7 months	Dec. 30/94
Mr. Charlie Capostagno	Greenskeeper II	Public Works	Retired (Early)	22 years, 7 months	Dec. 30/94
Ms. Angie Cipriani	Property Officer	Property	Retired (Early)	17 years, 2 months	Nov. 30/94
Ms. Diana Coleman	Aquatic Supervisor	Culture & Recreation	Retired (Early)	21 years, 2 months	Dec. 30/94
Mr. Jim Crechiola	Signs Markings Specialist	Traffic	Retired (Early)	5 years, 9 months	Dec. 30/94
Mr. Robert Dawson	Dispatcher	Clerk's	Retired (Early)	14 years, 8 months	Dec. 30/94

Prepared December 19/94

Glossary of Terms

Terminated - long term disability
 - discharge
 - downsizing
 - redundant

Resigned - personal betterment
 - personal reasons

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Ms. Gloria Dewey	Control Room Clerk	Parking Authority	Terminated	7 years, 1 month	Nov. 15/94
Mr. Domenico Dominicone	Rink Attendant I	Culture & Recreation	Retired (Early)	21 years, 6 months	Dec. 31/94
Mr. Archie Dorigo	Labourer	Public Works	Retired (Early)	20 years, 6 months	Dec. 30/94
Mr. Giovanna Dunbar	Cleaner	Property	Retired (Early)	33 years, 1 month	Dec. 30/94
Mr. Douglas Duncan	Superintendent-Streets	Public Works	Retired (Early)	30 years, 5 months	Dec. 30/94
Mr. George Geng	Labourer	Public Works	Retired (Early)	22 years, 4 months	Dec. 30/94
Mr. Frank Goodwin	Yard Attendant	Public Works	Retired (Early)	23 years, 6 months	Dec. 30/94
Ms. Janice Hitzroth	Taxation Analyst	Treasury	Retired (Early)	23 years, 8 months	Dec. 30/94

Prepared December 19/94

Glossary of Terms

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THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. Eric Hobin	Greenskeeper II	Public Works	Retired (Early)	24 years, 8 months	Dec. 30/94
Mr. William Jacklin	Firefighter I	Fire	Retired	29 years, 11 months	Nov. 30/94
Mr. Robert Jackman	Co-Ordinator Seniors Services/Food Services	Culture & Recreation	Retired	22 years, 6 months	Dec. 31/94
Mr. Gary Kohler	Community Centre Supervisor	Culture & Recreation	Retired (Early)	34 years, 3 months	Dec. 30/94
Mr. Josip Kupina	Traffic Signal Specialist	Traffic	Retired (Early)	28 years, 7 months	Dec. 30/94
Mr. Rex Mansell	Building Inspector	Building	Retired (Early)	17 years	Dec. 30/94
Mr. John Manta	Traffic Construction Investigator	Traffic	Retired (Early)	34 years, 2 months	Dec. 30/94

Prepared December 19/94

Glossary of Terms

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THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. John McKay	Foreman/Woman II	Public Works	Retired (Early)	25 years, 8 months	Dec. 30/94
Mr. Oswald Meloche	Traffic Signal Foreman/ Woman	Traffic	Retired (Early)	32 years, 4 months	Dec. 30/94
Mr. Joseph Monkley	Superintendent Operations Cemetery	Public Works	Retired (Early)	31 years, 8 months	Dec. 30/94
Mr. James Moyer	Traffic Signal Specialist	Traffic	Retired (Early)	26 years, 10 months	Dec. 30/94
Mr. Albert Poole	Markings Specialist	Traffic	Retired (Early)	22 years, 6 months	Dec. 30/94
Mr. Jim Price	Traffic Signal Specialist	Traffic	Retired (Early)	26 years, 3 months	Dec. 30/94
Mr. Som Rao	Building Engineer	Building	Retired (Early)	27 years, 5 months	Nov. 30/94
Mr. John Robinson	Co-Ordinator Housing Loans	Building	Retired	26 years, 6 months	Dec. 30/94

Prepared December 19/94

Glossary of Terms

Terminated - long term disability
 - discharge
 - downsizing
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Resigned - personal betterment
 - personal reasons

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. Maurice Ross	Garbage Worker	Public Works	Retired	23 years, 6 months	Dec. 30/94
Mr. Donald Sindrey	Firefighter I	Fire	Retired	30 years, 2 months	Nov. 30/94
Mr. Robert Smith	Truck Driver	Public Works	Terminated	4 years, 6 months	Nov. 01/94
Mr. Barry Snetsinger	Director Marketing/Sales	H.E.C.F.I.	Terminated	4 years, 10 months	Nov. 25/94
Mr. Lloyd Staley	Smoking Control Officer	Clerk's	Retired (Early)	13 years, 6 months	Dec. 30/94
Ms. Leslie Taylor	Aquatic Supervisor	Culture & Recreation	Retired (Early)	29 years, 3 months	Dec. 31/94
Ms. Enid Turyk	Cleaner	Property	Retired (Early)	20 years, 3 months	Dec. 30/94
Mr. Angelo Unelli	Foreman/Woman II	Public Works	Retired (Early)	21 years, 9 months	Dec. 30/94
Ms. Lucy Vincent	Control Room Clerk	Parking Authority	Terminated	5 years, 7 months	Nov. 15/94

Prepared December 19/94

Glossary of Terms

Terminated - long term disability
 - discharge
 - downsizing
 - redundant

Resigned - personal betterment
 - personal reasons



**MEETING OF THE COUNCIL
OF THE CORPORATION OF THE CITY OF HAMILTON**

**TUESDAY, 1995 JANUARY 10
7:30 O'CLOCK P.M.
COUNCIL CHAMBER, CITY HALL**

B I L L S

The Corporation of the City of Hamilton

BY-LAW NO. 95-

To Amend:

By-law No. 89-253

Regarding

THE FINANCING OF SAM LAWRENCE PARK

WHEREAS By-law No. 89-253 was enacted by Council on September 26, 1989, to authorize the upgrading of Sam Lawrence Park at a gross cost of \$2,325,000;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Item 11 of the 7th Report of the Parks and Recreation Committee on September 26, 1989, authorized a reduction to the gross cost of the upgrading of Sam Lawrence Park to \$1,969,100.;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

The gross cost of the upgrading of Sam Lawrence Park is reduced from \$2,325,000. to \$1,969,100.

PASSED this

day of

199 .

CITY CLERK

MAYOR

(1992) 7 R.P.R.C. 11, April 14

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 95 -

TO AUTHORIZE AN AMENDING AGREEMENT to an EXTENSION AGREEMENT
FOR PAYMENT OF REALTY TAX ARREARS

WHEREAS on September 28, 1993, as Instrument Number 164996, pursuant to the Municipal Tax Sales Act, R.S.O. 1990, c. M.60, (hereinafter referred to as the "Act"), the Treasurer did register a Tax Arrears Certificate on title to the land described in Schedule "A" attached hereto, indicating:

- (a) that there are arrears of realty taxes in excess of three (3) years on the land described in Schedule "A" attached hereto, (hereinafter referred to as the "land" or the "Land"); and,
- (b) that the said land shall be sold by public sale if the Cancellation Price is not paid within one year following the date of registration of the Tax Arrears Certificate, namely, on or before September 28, 1994.

AND WHEREAS the Municipal Tax Sales Act further states that the Council of a municipality may, by by-law, authorize an Extension Agreement with the owner of land in arrears of realty taxes in excess of three (3) years, (after the registration of a Tax Arrears Certificate and before the expiry of the one year redemption period), for the purpose of extending the period of time within which the Cancellation Price is to be paid;

AND WHEREAS the Municipal Tax Sales Act further states that the said Extension Agreement may extend the period of time within which the Cancellation Price is required to be paid subject to such terms and conditions relating to payment as may be required therein by the municipality;

AND WHEREAS the said Schedule "A" land is recorded by The Corporation of the City of Hamilton under the following Tax Roll Serial Number:

25 18 020 153 50940;

which tax roll also records the Schedule "A" land under the following municipal address:

39 Mary Street, Hamilton, Ontario, L8R 3L8;

AND WHEREAS MNC LIFECARE GROUP INC., (hereinafter referred to as the "Owner"), is the Owner of the said land and it had requested that the City exercise its discretion to pass a by-law to authorize an Extension Agreement to extend the period of time in which the Cancellation Price shall be paid and the terms thereof;

AND WHEREAS By-law No. 94-159 was enacted on September 27, 1994 within the said one year period in which such by-law may be enacted, namely, on or before the 28th day of September, 1994, to extend the period of time for the payment of the Cancellation Price;

AND WHEREAS the City, pursuant to Bylaw No. 94-159, entered into an Extension Agreement (dated September 28th, 1994) with the Owner and such Extension Agreement was registered on title to the Owner's land on the 28th day of September 1994, as Instrument Number 194830;

AND WHEREAS MNC LIFECARE GROUP INC. has requested the City to vary the periods of time, the terms and the conditions of the Owner's payment of tax arrears set out in the said registered Extension Agreement;

AND WHEREAS the City hereby intends to amend By-law No. 94-159 to authorize revisions thereto and to authorize an Amending Extension Agreement.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts
as follows:

1. (a) The period of time open for receipt of the Cancellation Price and the permitted payments of the Cancellation Price extended beyond the expiry of the said one year redemption period that were authorized in Schedule "B" of By-law No. 94-159, are hereby deleted and replaced with the periods of time and the payments set out in Schedule "B" of this amending by-law and the periods of time and payments set out in Schedule "B" attached to this amending by-law, are hereby adopted as the revised extended periods of time and payments which can be authorized for the payment of the Cancellation Price by means of an agreement between the City and the Owner of the land to amend the said Extension Agreement.

(b) This by-law shall be deemed to come into force as of December 31, 1994 after the Owner of the land described in Schedule "A" has (within sixty days of the date of enactment of this by-law) entered into and registered on title to the land an amending agreement satisfactory to and with the City to amend the Extension Agreement as authorized herein.

(c) The Mayor and City Clerk are hereby authorized on behalf of the City to execute such amending Extension Agreement. Such Extension Agreement, as amended, shall cease on December 22, 1995, or upon default of the Owner, or upon payment of the Cancellation Price in full, whichever is earlier.

2. As provided in the Municipal Tax Sales Act, notwithstanding any other provision of the Extension Agreement, or its amending agreement approved herein, it is understood and agreed that while the Extension Agreement, (as amended), remains a subsisting agreement in good standing:

- (a) that the Extension Agreement, (as amended), does not reduce the amount of the Cancellation Price;
- (b) that the Extension Agreement, (as amended), does not prohibit any person from paying the Cancellation Price at any time;
- (c) that any person may pay the Cancellation Price at any time;
- (d) that the Extension Agreement, (as amended), terminates upon payment of the Cancellation Price by any person;
- (e) that the Extension Agreement, (as amended), shall cease to be considered a subsisting Extension Agreement for purposes of section 9(2) of the Act, when and under what conditions set out in the Extension Agreement, (as amended).

3. As also provided in the Municipal Tax Sales Act,

- (a) while such Extension Agreement, (as amended), is in good standing, the period of such time shall not be counted in calculating the time within which the Cancellation Price may be paid;
- (b) upon default by the owner in complying with the Extension Agreement, (as amended), or any term thereof, the Extension Agreement, (as amended), shall cease and, (unless there remains time within which the Cancellation Price may be paid and is paid), the land shall be offered for sale by the Treasurer.

PASSED this day of

A.D. 1995

CITY CLERK

MAYOR

SCHEDULE "A"

Attached to and forming part of a By-law to Authorize an Agreement to amend an Extension Agreement between The Corporation of the City of Hamilton and MNC LIFECARE GROUP INC.

FIRSTLY: Lots 4 and 5 in the block bounded by Rebecca, Mary, King William and Catharine Streets, Nathaniel Hughson Survey (unregistered) and being more particularly described as all of Part 1, Plan 62R-1523;

SECONDLY: Lot 12, Nathaniel Hughson Survey being in the block bounded by Catharine, Rebecca, Mary and King William Streets,

City of Hamilton,
Regional Municipality of Hamilton-Wentworth,
Registry Division of Wentworth.

As previously set out in Instrument Number 61628.

SCHEDULE "B"

Attached to and forming part of a By-law to Authorize an Agreement to amend an Extension Agreement between The Corporation of the City of Hamilton and MNC LIFECARE GROUP INC.

- (a) the last date for payment of the Cancellation Price is hereby authorized to be extended from September 28, 1994 upon the following revised extension terms and conditions, to the payments and at the dates set out below subject to the terms of The Municipal Tax Sales Act, this by-law and the terms and conditions of the Extension Agreement dated September 28, 1994 as amended by the amending agreement to be entered into by the Owner with the City;

One twelfth of the Cancellation Price as of December 31, 1994, together with one twelfth of 1995 real property taxes, (as estimated by the City), together with accrued penalty and interest, shall be paid on the 22nd day of each and every month during 1995 commencing January 22, 1995 and continuing through to November 22, 1995 in the equal monthly sum of \$107,000.00, save and except for the December 22, 1995 payment, which payment shall be an amount sufficient to pay the balance of the said Cancellation Price together with the balance, if any, of 1995 real property taxes due and payable up to December 31, 1995.

BY-LAW NO. 95 -

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 10TH DAY OF JANUARY A.D., 1995.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 10th day of January A.D. 1995

CITY CLERK

MAYOR

CAY ON HBL AOS
A31
1995



MEETING OF THE COUNCIL
OF THE CORPORATION OF THE CITY OF HAMILTON

URBAN MUNICIPAL

Tuesday, 1995 January 31
7:30 o'clock p.m.
Council Chambers, City Hall

JAN 30 1995

CONSENT DOCUMENTS

J. J. Schatz
City Clerk

A G E N D A

1. **National Anthem**

2. **Opening Prayer:**

Reverend Canon Desmond Fleming
St. Stephen on the Mount

The Urban/Municipal Collection
2nd Floor
Hamilton Public Library
+ Bill

3. **Presentations:**

(a) **Certificate of Recognition**

Eveley Alignment and Spring Service Ltd. - Nick Eveley, President
- Dawn Fell, Controller

(b) **The Great Walleye Tournament Board Game** - Robert Rekiel,
President, Walleye
Game Productions Inc.

4. **Proclamation:**

"White Cane Week" - February 5th to 11th, 1995 - Bill Brown
District Manager
of the CNIB
- Gerry Stephenson
President of the CNIB

5. *Adoption of the minutes from the meeting held 1995 January 10.*
6. *Correspondence.*
7. *Reports of the Standing Committees:*
 - (a) *Transport and Environment Committee*
 - (b) *Parks and Recreation Committee*
 - (c) *Planning and Development Committee*
 - (d) *Finance and Administration Committee*
 - (e) *Nominating Committee* (copy to follow)
8. *Notices of Motion for Next Meeting.*
9. *First Reading of the Bills.*
10. *Second Reading of the Bills - Committee of the Whole.*
11. *Third Reading of the Bills.*
12. *Question Period.*
13. *Adjournment.*

MINUTES

Minutes of Hamilton City Council
Tuesday, 1995 January 10
7:30 o'clock p.m.
Council Chamber, City Hall

The Council met:

Present: Mayor R. M. Morrow
Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson,
Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico, Ross.

Absent: Alderman T. Jackson - sick

Mayor R. M. Morrow called the meeting to order.

* * * * *

The National Anthem was played.

* * * * *

Reverend Kelvin Honsinger, Mission Services of Hamilton led Council in prayer.

<p>PRESENTATIONS</p>

Mayor R. Morrow presented a Certificate of Appreciation to Martin Hotz, President, Wally Kiczma, Executive Vice-President and Heng Lim, Vice-President of Hotz Environmental Services Inc. in recognition of that Company's contribution to the City of Hamilton.

* * * * *

1995 January 10

Mayor R. Morrow presented Community Council Advisory Committee Volunteer Recognition Awards to the following:

David Beland, Citizen for Citizen - 5 Years of Service
Wanda Crouse, Kirkendall Neighbourhood Association - 5 Years of Service
Brenda Ellison, Templemead Community Council - 5 Years of Service
Rick Ellison, Templemead Community Council - 5 Years of Service
Michaelene Galan, Citizen for Citizen and Friends of Gage Park - 5 Years of Service
Lori Hinks, Gourley Park Association - 5 Years of Service
Dorothy Kluwak, Montgomery Park Association - 5 Years of Service
Shelly Lockley, Gourley Park Association - 5 Years of Service
Chuck Renaud, Kirkendall Neighbourhood Association - 5 Years of Service
Erik Taube, Beach Strip\Woodward Community Council - 5 Years of Service
Jack Morris, Gourley Park Association - 10 Years of Service
Dave Lockley, Gourley Park Association - 10 Years of Service
Dianne Dent, Durand Neighbourhood Council - Award of Distinction
Michaelene Galan, Citizen for Citizen and Friends of Gage Park - Award of Distinction
Jack Harris, Kirkendall Neighbourhood Association - Award of Distinction
Brenda Mitchell, Stinson Community Council - Award of Distinction
Pat Nusca, Powell Park - Award of Distinction
Gerry Rattray, Crown Point - Award of Distinction
Helen Rees, Eastmount Community Council - Award of Distinction
Neil Roberts, Trenholme Park Association - Award of Distinction
Gill Simmons, North End Neighbourhood Council - Award of Distinction
Pat Kirkley, President Representing Gilkson Community Council - 20 Years of Service

PROCLAMATION

Mayor R. Morrow proclaimed the week of January 16-22, 1995 as "National No Smoking Week" in the City of Hamilton and also proclaimed January 18, 1995 as "Weedless Wednesday" in the City of Hamilton.

ADOPTION OF MINUTES

The minutes of the meeting held 1994 December 13 were adopted as circulated.

CORRESPONDENCE

1. Application dated 1994 December 22 from Starward Homes Ltd. and Ward Campbell, Hamilton, Ontario for a change in zoning from "AA" (Agricultural) District to: "R-4" (Small Lot Single Family Dwelling) District for Blocks "1", "3", and "9"; "DE" (Multiple Dwellings) District, modified, for Block "2"; "C" (Urban Protected Residential, etc.) District for Blocks "4", "10", and "11"; and, "R-4" (Small Lot Single Family Dwelling) District, modified for Blocks "5", "6", "7", and "8", for lands located in the area south of the proposed Red Hill Creek Expressway, and west of West Fifth Street, Hamilton, Ontario.

Received.

2. Letter dated 1995 January 5 from R. Scott Smith, Secretary to the Board of Commissioners respecting the Hamilton Harbour Commissioners' Five Year Capital Budget.

Received.

3. Letter dated 1994 December 28 from the Executive Director of Management Services and City Clerk for the City of Burlington respecting the Transportation Association of Canada: New Visions in Urban Transportation.

Referred to the Transport and Environment Committee

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Parks and Recreation Committee, the Planning and Development Committee, and the Finance and Administration Committee, be considered in Committee of the Whole with Alderman Eisenberger in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico, Ross. -16.

NAYS: -0.

CARRIED.

PARKS AND RECREATION COMMITTEE - THIRD REPORT

PLANNING AND DEVELOPMENT COMMITTEE - THIRD REPORT

Section 2 Re: Recreational Vehicles in Residential Zoning Districts

It was moved by Alderman Merling and seconded by Alderman Anderson that Section 2 of the Third Report of the Planning and Development Committee for 1995 as amended by adding the word "not" following the word "continue" in the first line and the words "pertaining to recreational vehicles" following "#6593" in the second line and the words "until the public hearing scheduled for 1995 May." following the word "basis" in the second line.

Recorded vote on amendment.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Morelli, Wilson, Agostino, Charters, Merling, Anderson, D'Amico, Ross. -13.

NAYS: Aldermen Caplan, Copps, Eisenberger. -3.

CARRIED.

* * * * *

Section 11 Re: Westdale Village B.I.A. Board of Management

Alderman Caplan declared personal interest in, took no part in the debate and refrained from voting on this matter. Alderman Caplan has a business in this area.

* * * * *

Section 19 Re: Downtown Hamilton B.I.A. Board of Management

Alderman Caplan declared personal interest in, took no part in the debate and refrained from voting on this matter. Alderman Caplan has a business in this area.

PLANNING AND DEVELOPMENT COMMITTEE - FOURTH REPORT

FINANCE AND ADMINISTRATION COMMITTEE - SECOND REPORT

Section 6 Re: Offer to Purchase - Bill 163

It was moved by Alderman Charters and seconded by Alderman Merling that Section 6 of the Second Report of the Finance and Administration Committee for 1995 be amended by adding the following as Section 6(a)(v):

That the closing of this Offer to Purchase be subject to fulfilling all of the requirements of the newly proclaimed Bill 163 including but not limited to the passing of a procedural by-law pertaining to the disposal of municipal property. **CARRIED.**

* * * * *

Section 8 Re: Use of City Hall Facilities

It was moved by Alderman Charters and seconded by Alderman Merling that Rule No. 8 of the City's Procedural By-law No. 82-203 be invoked for this meeting of City Council in order to permit consideration of the use of City Hall Facilities. **CARRIED.**

It was moved by Alderman Charters and seconded by Alderman Merling that the following be added as Section 8 of the Second Report for 1995 of the Finance and Administration Committee:

8. That approval be given to SHAIR International Resource Centre and the Rwanda Solidarity Committee to use the City Hall Council Chambers and Forecourt on Monday, 1995 January 23rd at 7:00 o'clock p.m. to hold a Memorial Service and Candlelight Vigil during Rwanda Awareness Week. **CARRIED.**

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Parks and Recreation Committee, the Planning and Development Committee, and the Finance and Administration Committee, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico, Ross. -16.

NAYS: -0.

CARRIED.

BILLS

It was moved by Alderman Kiss and seconded by Alderman Caplan that the following Bills be read a first time:

D-6, D-7, D-8.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico, Ross. -16.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that Council move into Committee of the Whole to consider the following Bills, with Alderman Eisenberger in the chair. (second reading).

D-6, D-7, D-8.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico, Ross. -16.

NAYS: -0.

CARRIED.

* * * * *

Consideration of the Bills (second reading).

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the following Bills, be adopted:

D-6, D-7, D-8.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico, Ross. -16.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the following Bills, be now read a third time, signed, sealed and enrolled as By-laws:

D-6, D-7, D-8.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico, Ross. -16.

NAYS: -0.

CARRIED.

* * * * *

City Council then adjourned at 8:50 o'clock p.m.

* * * * *

Taken as read and approved.

MAYOR R. M. MORROW

J. J. Schatz, City Clerk
1995 January 10

CORRESPONDENCE

Correspondence

1. Petition dated 1994 December 13 Re: Violence Against Women.

Recommendation: **Be Referred to the Police Services Board.**

2. Application dated 1995 January 12 from Chambers Group, Hamilton, Ontario for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, for lands located at the rear of Nos. 1170-1180 Upper James Street, Hamilton, Ontario.

Recommendation: **Be Received.**

3. Application dated 1995 January 18 from Imperial Oil Limited c/o Greg Ford, North York, Ontario for a modification to the established "H" (Community Shopping and Commercial, etc.) District regulations, for Block "1", and for a change in zoning from "C" (Urban Protected Residential, etc.) District to "H" (Community Shopping and Commercial, etc.) District, modified, for Block "2" for lands located at No. 1445 Main Street West, Hamilton, Ontario.

Recommendation: **Be Received.**

4. Application dated 1995 January 20 from B.Y.M. Construction Limited (668674 Ontario Limited) and Bergamot Holdings Limited, Hamilton, Ontario for a further modification to the established "G" (Neighbourhood Shopping Centre, etc.) District regulations, for lands located at No. 969 Upper Ottawa Street, Hamilton, Ontario.

Recommendation: **Be Received.**

5. Application dated 1995 January 25 from Gus and Mike Holdings Ltd., Hamilton, Ontario for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for lands located west of West Fifth Street between the proposed Red Hill Creek Expressway and Chester Avenue, Hamilton, Ontario.

Recommendation: **Be Received.**

6. Letter dated 1995 January 11 from J. J. Schatz, City Clerk Re: Objections to By-law No. 95-02 respecting property at Ainslie Wood Neighbourhood, Ainslie Wood East Neighbourhood, Ainslie Wood North Neighbourhood and Ainslie Wood West Neighbourhood. (previously distributed)

Recommendation: **Be Received.**

Dear Mr. Mayor,

December 6th is our National Day of Remembrance and Action on Violence Against Women. The signatures attached to this card attest to the fact that we as workers, members of our community, are so concerned about the increase in violence in our society, that we urge you to do everything in your power to effect the necessary changes in government policy to insure a safe environment in which to live. Please take the positive steps to end the violence, especially against our women and children, that are noted on the accompanying card. We urge you to act now!.

Cheryl E. Thompson
Claudette Hunt

~~V. Smith~~
Joseph Bartoli

Bill McElhinney

Sue Taylor

John Becker

Ivana Jewell

Charly Casagrande

~~G. P.~~

Wend Bartlett

Torn & A. May

Stephen Schel

Buck Duglin

Sam N. Newell

Bill

Juliette Helms

Doris Brown

Jim Eichen

~~L. C.~~

Donna

~~Edith~~

Susan Leach

Pete J. Middleton

Cory Moore

Pat Brown

Pat Bennett

Darlene Lehner

~~Kathy~~

Hail Ross

Frank Burrum

G. Longest

Marilyn A. Newell

~~[Signature]~~

~~[Signature]~~

Dwan Edmund

C. Glaser

Aldo Genere

Pat Brown

W. Taylor

~~[Signature]~~

Bill Brown

Pat Brown

A. M. [Signature]

Pat Brown

Joe Stigerson

John Mary Collier

John [Signature]

Gabrielle A. Papp

Karla Booth
Nelen McKeown

Eva Caradonna

Nicole Gintares

Rosale Lyn

Michelle Ryan

Alvin Clarke

Linda Brewer

Tulsa Misaugeni

Don Anderson

John Lindsay

Jack Woodhuff

Ang Thomas

Rob Healey

Wendy

B. Newhouse

Monty

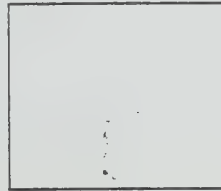
Doreen Kelly

Andrew Rens

Jim Zundt

John Vanish

A. Keene



DEC 10

ROBERT MORROW

HAMILTON

CITY HALL

Produced by the Women's and Human Rights Department of the Canadian Labour Congress

Dear Mayor,

Women and girls in this city are not safe. Too many effectively live under curfew in order to minimize their risk of attacks. Too many are forced to leave their homes in search of poorly funded overcrowded shelters, or put up with continuing violence to them and their children. Too many have died.

Picture a city where women were free to walk their neighbourhoods and were safe in their homes, in their schools, in their workplaces. Picture a city where any woman or child at risk would have access to adequate emergency shelters and long term support.

Now's the time. You have the mandate, the responsibility and the power to make that change.

We need a police force that considers violence against women a crime. We need funding to women's centres and women's shelters to be dramatically increased. We need programmes to offer women living in dangerous situations real alternatives. We need them now.

Can any other municipal issue be more important or more pressing?

Signed Claudette S. Hunt

Name LOCAL 558 CAN

Address 307 QUEENSTON RD

Hamilton, ON L8K 1H2 Phone 545 8770

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Transport and Environment Committee presents its **SECOND** Report for 1995 and respectfully recommends:

1. That the stopping-up, closing and sale of the portion of Gerrard Street from Sherman Avenue North, to 100.489m westerly be approved, subject to the following conditions:
 - (a) That the Commissioner of Transportation/Environmental Services be directed to prepare a By-law to stop up, close and sell the road allowance of Gerrard Street from Sherman Avenue North, to 100.489m westerly; and,
 - (b) That the Commissioner of Transportation/Environmental Services be directed to prepare and register a reference plan under the Registry Act, to delineate the manner in which the proposed closed road allowance is to be sold; and,
 - (c) That the Commissioner of Transportation/Environmental Services be directed to make application to the Regional Municipality of Hamilton-Wentworth for approval of the proposed closing, pursuant to Section 48 of the Regional Act; and,
 - (d) That the City Clerk be directed to publish a notice of City Council's intention to pass the By-law, pursuant to Section 301 of the Municipal Act, R.S.O. 1980; and,
 - (e) That the City of Hamilton provide a 6m easement to the Region for the existing 675mm and 375mm sewers and the existing 150mm watermain in the proposed closure area; and,
 - (f) That the City of Hamilton provide a 2.0m easement to Union Gas for their underground plant on the north and south sides of the closure area; and,
 - (g) That the City of Hamilton provide a 3.0m easement to Bell Canada for their existing plant on the north side of the closure area.

1995 January 31

2. That City Council enact the By-law to authorize the alteration of Ferguson Avenue North between Cannon and Barton Streets by narrowing the roadway from the existing 19.5m width varying from 8.5m to 11.0m.
3.
 - (a) That, as the alterations to pedestrian crosswalks in the Westdale Village B.I.A. are to be implemented on a six-month trial basis, asphalt be substituted for the proposed concrete work and that the estimated expenditure of \$35,469. be reduced to \$21,369. to reflect the change in material costs; and,
 - (b) That consideration be given in the 1995 Current Budget deliberations for funding the expenditure of \$21,369. for the implementation of pedestrian crosswalk alterations in the Westdale Village B.I.A. recognizing that \$15,012. of this sum will be required as an ongoing allocation to future current budgets for the horticultural maintenance which will result.
4. That a "No Parking" regulation be implemented on the north and east sides of Rexford Drive commencing at a point 94 feet east of the east curb line of Rexford Drive adjacent to No. 631 Rexford Drive and extending to a point 108 feet north of the north curb line of Rexford Drive and that the City Traffic By-law 89-72 be amended accordingly.
5.
 - (a) That a "Permit Parking" regulation be implemented on the east side of Ray Street South commencing at a point 68 feet north of Main Street West and extending to George Street; and,
 - (b) That the existing "No Parking" regulation on the east side of Ray Street commencing at Main Street West and extending to a point 68 feet northerly therefrom, be replaced with a "No Stopping" regulation; and,
 - (c) That the City Traffic By-law 89-72 be amended accordingly; and,
 - (d) That the Director of Traffic Services be authorized to issue upon request, one parking permit to each of the first seven eligible applicants (maximum of one per household) abutting Ray Street South between Main Street West and George Street.

6. That a "No Parking, Monday to Friday" regulation be implemented on the east side of Independence Drive commencing at a point 104 feet north of Adler Avenue and extending to a point 38 feet northerly therefrom and that the City Traffic By-law 89-72 be amended accordingly.
7. That a "Wheelchair Loading Zone, 7:00 a.m. to 9:00 p.m., seven days a week" regulation be implemented on the south side of Dunsmure Road commencing at a point 25 feet east of St. Clair Avenue and extending to a point 26 feet easterly therefrom and that the City Traffic By-law 89-72 be amended accordingly.
8. That the Director of Traffic Services be authorized to issue a time limit exemption permit to Mr. Frank Mantioni, No. 2108 - 40 Oxford Street North.
9. That the existing "Permit Parking" regulation on the east side of Paling Avenue commencing at a point 93 feet north of Vansitmart Avenue and extending to a point 22 feet northerly therefrom be removed and that the City Traffic By-law 89-72 be amended accordingly.
10.
 - (a) That a "Permit Parking" regulation be implemented on the south side of Mars Avenue commencing at a point 168 feet east of Douglas Street and extending to a point 19 feet easterly therefrom and that the City Traffic By-law 89-72 be amended accordingly; and,
 - (b) That the Director of Traffic Services be authorized to issue one parking permit to Mrs. Walker, No. 52 Mars Avenue.
11.
 - (a) That a "Permit Parking" regulation be implemented on the west side of Paling Avenue commencing at a point 601 feet south of Barton Street East and extending to a point 28 feet southerly therefrom, and on the east side of the street commencing at a point 630 south of Barton Street East and extending to a point 20 feet southerly therefrom; and that the City Traffic By-law 89-72 be amended accordingly; and,
 - (b) That the Director of Traffic Services be authorized to issue one parking permit to Mrs. Elizabeth Evan, 283 Paling Avenue.

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12. (a) That the existing Commercial Boulevard Parking Agreement registered as Instrument No. 230560 C.D. to the property at No. 113 - 119 Park Street North be discharged at the property owner's expense and subject to:
 - i. the applicant or his agent barricading the boulevard parking area in a manner satisfactory to the Director of Traffic Services and executing a Paving Agreement or restoring the boulevard with sod; and,
 - ii. the removal of a portion of the existing vehicle approach ramp; and,
- (b) That the City Solicitor be authorized and directed to prepare the necessary documentation in relation to the discharge of this agreement; and
- (c) That the Mayor and City Clerk be authorized and directed to sign the necessary documentation in relation to the discharge of this agreement.
13. That a "No Parking" regulation be implemented on the north and west sides of Highridge Avenue between the north and west property lines of No. 238 Highridge Avenue and that the City Traffic By-law 89-72 be amended accordingly.
14. That the existing "Wheelchair Loading Zone, 9:00 a.m. to 11:00 p.m., seven days a week" regulation on the west side of East 23rd Street which commences at a point 250 feet south of Concession Street and extends to a point 26 feet southerly therefrom be removed and that the City Traffic By-law 89-72 be amended accordingly.
15. That the existing "No Parking, 8:00 a.m. to 5:30 p.m., Monday to Friday" regulation on the north side of Carling Street which commences 153 feet east of Paradise Road South and extends to a point 113 feet easterly therefrom be shortened such that the regulation commences at a point 153 feet east of Paradise Road South and extends to a point 93 feet easterly therefrom and that the City Traffic By-law 89-72 be amended accordingly.
16. That a "No Parking" regulation be implemented on both sides of Chedmac Drive commencing at Rice Avenue and extending to the northerly end of Chedmac Drive and that the City Traffic By-law 89-72 be amended accordingly.

17. (a) That the existing Commercial Boulevard Parking Agreement registered as Instrument No. 179381 C.D. to the property at No. 89 - 91 Vine Street be discharged at the property owner's expense and subject to:
 - i. the applicant or his agent restoring the boulevard with sod to a condition satisfactory to the Director of Traffic Services or barricading the boulevard to prevent parking from occurring and executing a pavement agreement; and
- (b) That the City Solicitor be authorized and directed to prepare the necessary documentation in relation to the discharge of this agreement; and,
- (c) That the Mayor and City Clerk be authorized and directed to sign the necessary documentation in relation to the discharge of this agreement in a form satisfactory to the City Solicitor.
18. (a) That an "Alternate Side Parking" regulation be implemented on Leona Court between Rainbow Drive and the southerly end of the court such that parking is prohibited:
 - i. on the west side of the street during the months of December, January, February and March and from the 1st to the 15th of April, May, June, July, August, September, October and November; and,
 - ii. on the east side of the street from the 16th to the last day of April, May, June, July, August, September, October and November; and,
- (b) That the City Traffic By-law 89-72 be amended accordingly.
19. (a) That the existing "Three Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the south side of Burton Street between Douglas Street and Cheever Street be replaced with a "Permit Parking" regulation and that the City Traffic By-law 89-72 be amended accordingly; and,
- (b) That the Director of Traffic Services be authorized to issue two parking permits per residence to Nos. 112, 114, 118 and 120 Burton Street and one parking permit per residence to Nos. 110, 116 Burton Street and No. 105 Cheever Street and any additional permits (to a maximum of twelve) on a first come first served basis.

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20. That a "Wheelchair Loading Zone, 10:00 a.m. to 8:00 p.m., Sundays" regulation be implemented on the south side of Dorval Street commencing at a point 30 feet west of Upper Sherman Avenue and extending to a point 38 feet westerly therefrom and that the City Traffic By-law 89-72 be amended accordingly.
21.
 - (a) That a "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be implemented on the south side of Bonaparte Way commencing at a point 124 east of the east curb line of Brigade Drive and extending to 80 feet easterly; and,
 - (b) That a "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be implemented on the south side of Bonaparte Way commencing at a point 111 feet east of the east curb line of Corsica Court and extending 31 feet easterly; and,
 - (c) That the City Traffic By-law 89-72 be amended accordingly.
22.
 - (a) That a "Permit Parking" regulation be implemented on the south side of Cumberland Avenue commencing at a point 145 feet west of the extended west curb line of Norway Avenue and extending to a point 21 feet westerly therefrom and that the City Traffic By-law 89-72 be amended accordingly; and,
 - (b) That the Director of Traffic Services be authorized to issue one parking permit to Mr. Midjord, No. 295 Cumberland Avenue.
23. That the three existing one hour parking meters on the west side of Oak Avenue, immediately south of Barton Street East and the existing "No Parking" regulation on the east side of Oak Avenue which commences at Barton Street East and extends to a point 161 feet southerly therefrom, be replaced with an "Alternate Side Parking" regulation and that the City Traffic By-law 89-72 be amended accordingly.
24. That a "No Parking" regulation be implemented on the west side of Berkindale Drive between Bellamy Road and Roxborough Avenue and that the City Traffic By-law 89-72 be amended accordingly.
25. That the Director of Traffic Services be authorized to issue a time limit exemption permit to Mr. Ken Hazell, No. 1006 - 75 Bold Street.

26. That a "Taxi Stand, 7:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on the west side of East 19th Street commencing at a point 176 feet south of Concession Street and extending 50 feet southerly and that the City Traffic By-law 89-72 be amended accordingly.
27. That a "No Parking, 8:00 a.m. to 5:00 p.m., Monday to Friday" regulation be implemented on the east side of Hughson Street North commencing at a point 53 feet south of Murray Street and extending to a point 21 feet southerly therefrom and that the City Traffic By-law 89-72 be amended accordingly.
28. (a) That a "Permit Parking" regulation be implemented on the west side of Caroline Street North commencing at a point 60 feet north of the southerly end of the street (Central Neighbourhood Park) and extending to a point 20 feet northerly therefrom and that the City Traffic By-law 89-72 be amended accordingly; and,

(b) That the Director of Traffic Services be authorized to issue one parking permit to Mrs. Mary Rudaniecki, No. 183 Caroline Street North.
29. That the existing "Wheelchair Loading Zone, 8:00 a.m. to 12:00 a.m. (midnight), seven days a week" regulation on the west side of Cheever Street which commences at a point 245 feet south of Birge Street and extends to a point 20 feet southerly therefrom be removed and that the City Traffic By-law 89-72 be amended accordingly.
30. That the existing "Permit Parking" regulation on the south side of Aikman Avenue commencing at a point 180 feet east of Wentworth Street South and extending to a point 31 feet easterly therefrom be removed and that the City Traffic By-law 89-72 be amended accordingly.
31. That the existing "No Parking" regulation on the west side of Kings Forest Drive which commences at Nova Drive and extends to a point 88 feet northerly therefrom be shortened such that the regulation commences at Nova Drive and extends to a point 68 feet northerly therefrom and that the City Traffic By-law 89-72 be amended accordingly.

32. That a "Taxi Stand, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be implemented on the east side of Magnolia Drive commencing at a point 52 feet north of the north curb line of Leclaire Street and extending 20 feet northerly and that the City Traffic By-law 89-72 be amended accordingly.
33. (a) That the existing "30 Minute Parking Time Limit, 24 hours a day, seven days a week" regulation on the west side of Aurora Street which commences at a point 59 feet north of Charlton Avenue East and extends to a point 20 feet northerly therefrom be rescinded and replaced with the existing "Permit Parking" regulation which presently controls the remainder of the block; and
- (b) That the City Traffic By-law 89-72 be amended accordingly; and
- (c) That the Director of Traffic Services be authorized to issue one parking permit upon request to Mr. Pudjonas, No. 225 Charlton Avenue East.
34. That the existing "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., seven days a week" regulation on the west side of East 27th Street which commences at a point 136 feet south of Fennell Avenue and extends to the extended south curb line of Mackenzie Road be replaced by a "Three Hour Parking Time Limit, 8:00 a.m. to 4:00 p.m., Monday to Friday" regulation and that the City Traffic By-law 89-72 be amended accordingly.
35. That southbound traffic on Kings Forest Drive be required to stop for eastbound and westbound traffic on Nova Drive and that the City Traffic By-law 89-72 be amended accordingly.
36. That in accordance with the request by the Hamilton Street Railway Company the following bus stop be relocated:

Route #23 Upper Gage

- | | |
|----------------------|--|
| Delete - Westbound - | Eaglewood Drive, north side, 33 feet east of the centre line of Eleanor Avenue (N/S); and, |
| Add - Northbound - | Eva Street, east side, 21 feet south of Eaglewood Drive (N/S). |

37. That in accordance with the request by the Hamilton Street Railway Company the following bus stop be relocated:

Route #45 Limeridge

Delete - Eastbound - Limeridge Road East, south side, 617 feet east of Upper Wentworth Street (M/B); and

Add - Eastbound - Limeridge Road East, south side, 276 feet west of the projected west curb line of Rockingham Drive (M/B).

38. That in accordance with the request by the Hamilton Street Railway Company the following bus stop be relocated:

Route #3 Cannon

Delete - Westbound - Cannon Street, north side, 75 feet east of Balsam Avenue North (N/S); and

Add - Westbound - Cannon Street, north side, 115 feet west of Balsam Avenue North (F/S).

39. That a purchase order be issued to Fortran Traffic Systems Ltd., Scarborough Ontario, for the supply and delivery of traffic signal controllers as and when required in 1995 by the Traffic Department, at the unit prices noted below, being the lowest bid received for items (a), (b), (d) and (e), in accordance with the specifications issued by Purchasing and Vendor's tender, and to be financed through Traffic Signals Materials Account No. 56152-75999, to a maximum expenditure of \$200,000. exclusive of taxes.

(a)	36 circuit fully actuated solid state controllers	\$6,879. each
(b)	24 circuit fully actuated solid state controllers	\$5,983. each
(c)	12 circuit fully actuated solid state controllers	\$5,690. each
(d)	communications modules	\$ 579. each
(e)	portable data transfer units	\$2,000. each

All prices noted are before the addition of applicable taxes.

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40. (a) That, in accordance with Section 15(1) of the Police Services Act, 1990, the following persons be appointed as Parking Control Officers:

Randy Bonany
Clive Reynolds
Ted Arthurs; and,

- (b) That the following appointments as Parking Control Officers be repealed:

William London
Charles Corbin
Roy Rutherford

41. (a) That the Kennedy West Neighbourhood be designated as a Neighbourhood Watch Area; and,

- (b) That Neighbourhood Watch signs for the Kennedy West Neighbourhood be erected and maintained by the City Traffic Department, as long as this neighbourhood maintains an active Neighbourhood Watch Program as determined by the Regional Police Department; and,

- (c) That the necessary funds be charged to Account No. CH55301 75030 (Neighbourhood Watch Program).

42. That the proposed narrowing of Munn Street between Upper Sherman Avenue and East 36th Street and East 36th Street between Queensdale Avenue and Munn Street from the existing 12.2m to 8.5m be advertised by the City Clerk in accordance with Section 300 of the Municipal Act and the necessary alteration By-laws be prepared by the Director of Public Works.

43. (a) That the following City lands be incorporated into the streets in order to complete the final street width or to provide access to newly registered subdivision developments:

Embassy Drive	Block 51	Plan 62M-652
	Block 34	Plan 62M-745

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Artistic Boulevard	Block 9	Plan 62M-763
Appleblossom Drive	Parts 3 and 4	Plan 62R-12671
Dartnall Road	Parts 1 and 5 Part 1	Plan 62R-9687 Plan 62R-9651; and,

- (b) That the by-laws to carry out the incorporation of the said land into the foregoing streets be enacted by City Council; and,
 - (c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the by-laws.
44. That consideration be given in the 1995 Current Budget deliberations for the inclusion of an additional \$50,000. into the Public Works Department, Sanitation Division Current Budget to provide residential curbside garbage collection for all statutory holidays, recognizing that Christmas Day and Boxing Day are not collected under our existing format.
45. (a) That the Director of Public Works be instructed to remove the snow windrows from the entrances of assumed alleys to facilitate their use during winter months, recognizing that this new service is estimated to cost \$62,550., and in 1995, based upon the winter conditions experienced to date, no funding increase will be required and should this service increase result in a pending overdraft in any future years, this matter will be returned to the Transport and Environment Committee for funding consideration, and;
- (b) That the Director of Public Works continue with the current practice of compacting snow in assumed alleys by the use of heavy trucks driving down the alley, not plowing, and with the addition of salt/sand mixture during ice conditions, recognizing that this work will take place in a schedule that follows winter snow removal priorities of mountain accesses, regional roads, arterial roads, bus routes, bus stops, residential roads, crosswalks, schools, etc.

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46. That approval be given to the Commissioner of Transportation/Environmental Services to proceed with the tendering process for the 1995 Roadway and Sidewalk Reconstruction Program attached hereto as Appendix "A" (Project No. 85.0) up to a gross amount of \$4,000,000. (net City cost of \$3,000,000. after Ministry of Transportation Subsidy).
47. That all-way stop control be implemented at the intersection of Rowntree Drive and Rushdale Drive and that the City Traffic By-law 89-72 be amended accordingly.
48. That three-way stop control be implemented at the intersection of Caroga Court and Morgan Road and that the City Traffic By-law 89-72 be amended accordingly.
49. That the northbound and southbound stop signs at the intersection of Fairway Drive and St. Andrews Drive be removed and that the City Traffic By-law 89-72 be amended accordingly.
50. That leave be granted to introduce the following Bills:
 - (a) A-8 A By-law to Alter Ferguson Avenue North between Cannon Street East and Barton Street East by Narrowing the Pavement
 - (b) A-9 A By-law to Incorporate City Land Designated as Block 51 on Plan 62M-652 and Block 34 on Plan 62M-745 into Embassy Drive
 - (c) A-10 A By-law to Incorporate City Land Designated as Block 9 on Plan 62M-763 into Artistic Boulevard
 - (d) A-11 A By-law to Incorporate City Land Designated as Parts 3 and 4, Plan 62R-12671 being part of Block 30, Plan 62M-710 into Appleblossom Drive
 - (e) A-12 A By-law to Incorporate City Land Designated as Parts 1 and 5, Plan 62R-9687 and Part 1, Plan 62R-9651 into Dartnall Road
 - (f) A-13 A By-law to Amend By-law No. 89-72 to Regulate Traffic

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(g) A-14 A By-law to Amend By-law No. 89-72 to Regulate Traffic

Respectfully Submitted,

**ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE**

Kevin C. Christenson, Secretary

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Appendix "A" as referred to in
Section 46 of the SECOND Report
of the Transport and Environment
Committee for 1995

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CITY OF HAMILTON
1995 ROAD AND SIDEWALK IMPROVEMENT PROGRAMME

A. Roads and Abutting Sidewalks

Charles Street	Bold	Hurst	road reconstruction-sidewalk reconstruction-both sides in conjunction with Regional sewer and watermain works	68,600
East 15th Street	Brucedale Fennell	Queensdale Howe	road reconstruction-sidewalk reconstruction-both sides in conjunction with Regional watermain works road reconstruction-sidewalk reconstruction & repair- both sides in conjunction with Regional watermain works	167,200 235,600
East 16th Street	Fennell	Howe	road reconstruction-sidewalk reconstruction & repair- both sides in conjunction with Regional watermain works	290,300
East 36th Street	Fennell Queensdale Queensdale Munn	Mohawk Brucedale Munn Crockett	road reconstruction-sidewalk reconstruction-both sides in conjunction with Regional watermain works road reconstruction-sidewalk reconstruction-both sides road reconstruction & narrowing-sidewalk reconstruction- both sides regrade and surface treat road-sidewalk reconstruction and repair-both sides	732,000 214,300 94,500 210,700

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<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>COMMENTS</u>	<u>ESTIMATE</u>
East 44th Street	Queensdale	Pennell	road reconstruction-sidewalk reconstruction & repair-both sides in conjunction with Regional watermain works	\$471,800
Fay Avenue	Organ	Broker	road reconstruction-sidewalk reconstruction & repair-both sides in conjunction with Regional sewer and watermain works	120,300
King Street (South leg)	John	Hugheson	road reconstruction-paving stones-sidewalk repair-south side in conjunction with Regional sewer and watermain works	264,700
King William Street	Catharine Mary	Mary Victoria	road resurface-sidewalk repairs-both sides in conjunction with Regional watermain works road reconstruction-sidewalk reconstruction & repair-both sides in conjunction with Regional sewer and watermain works	786,300
MacNab Street South	Bold	Huzet	road reconstruction-sidewalk reconstruction-both sides	78,400
Munn Street	East 16th	Upper Sherman	road reconstruction and narrowing-sidewalk reconstruction-both sides	525,700
Queensdale Avenue	Upper Gage	East 16th	road reconstruction - sidewalk repair & reconstruction - both sides in conjunction with Regional sewer works.	337,800
Roxborough Avenue	Strathearne	Tolton	road resurface-sidewalk repairs-both sides in conjunction with Regional sewer works	221,500

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<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>COMMENTS</u>	<u>ESTIMATE</u>
Tolton Avenue	Barton	Meivin	road overlay-sidewalk repairs-both sides	\$123,200
	Meivin	Britannia	road reconstruction-sidewalk reconstruction-both sides	131,700
	Britannia	Roxborough	road reconstruction only-no sidewalk work	110,600
	Roxborough	Dunsmuir	road resurface-sidewalk repairs-both sides	64,600
TOTAL SECTION "A"				\$5,269,800

B. Sidewalks on Regional Roads

<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>COMMENTS</u>	<u>ESTIMATE</u>
Barton Street	Strathesne	Parkdale	both sides-reconstruction and repair	\$173,300
Burlington Street East	Sherman	Wilcox	both sides-repair	30,700
Gage Avenue North	Burlington	Beach	both sides-reconstruction and repair	111,400
King Street East	James	Mary	both sides-paving stone repair	27,300
Ottawa Street North	Main	Beach	both sides-repair	23,800
Parkdale Avenue South	Main	Queenston	both sides-reconstruction and repair	49,500
	King	Queenston	west side - reconstruction	96,200
Parkdale Avenue North	Main	Barton	both sides-reconstruction and repair	301,200
Upper Wellington St	Mohawk	Jay	both sides-reconstruction and repair	121,800
TOTAL SECTION "B"				\$935,200

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C. Sidewalks Only

<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>COMMENTS</u>	<u>ESTIMATE</u>
Caprice Court	Montcalm	West end	reconstruction and repair-both sides	\$ 29,900
East 23rd Street	MacLennan	Franklin	reconstruction and repair-both sides	141,900
East 41st Street	Sunninghill	Brucedale	reconstruction and repair-both sides	216,900
Mexie Court	Rendell	East end	reconstruction and repair-both sides	48,300
TOTAL SECTION "C" =				\$437,000

D. Miscellaneous ProjectsDESCRIPTION

<u>ESTIMATE</u>
\$ 92,000
50,000
<u>441,000</u>
TOTAL SECTION "D" = \$583,000
 GRAND TOTAL \$7,225,000

Tree planting in conjunction with roadworks
Catchbasin and Drain Connections
-various locations in conjunction with Regional Local Improvement sewer Projects
Streetlighting-various locations-modifications and upgrades generally in conjunction
with road works

E. Enhanced Funding Projects

<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>COMMENTS</u>	<u>ESTIMATE</u>
Bendamaere Avenue	Garth	Columbia	road resurface-sidewalk repairs-both sides in conjunction with Regional watermain works	\$416,100
Carwyn Crescent	Purvis	Yates	road reconstruction-sidewalk reconstruction & repair- both sides in conjunction with Regional watermain works	200,800

Columbia Drive	Bendamsere	North End	road resurface-sidewalk reconstruction and repairs-both sides in conjunction with Regional watermain works	284,200
Leslie Avenue	Upper Paradise	West 23rd	road resurface-sidewalk repairs-both sides in conjunction with Regional watermain works	301,200
Lower Morning Road	Purvis	Carwyn	road reconstruction-sidewalk reconstruction & repair-both sides in conjunction with Regional watermain works	227,600
McElroy Road	Upper James	Dodson	road reconstruction-sidewalk reconstruction-both sides in conjunction with Regional watermain works	503,500
Yates Drive	Purvis	South End	road reconstruction - sidewalk reconstruction - both sides	157,800
TOTAL SECTION E				\$2,000,000

F. Supplementary List

Streets may be done in the order listed if residual funds are available.

<u>STREETS</u>	<u>FROM</u>	<u>TO</u>	<u>COMMENTS</u>	<u>ESTIMATE</u>
East 14th Street	Fennell Brucedale	Brucedale Queensdale	road reconstruction-sidewalk reconstruction-both sides road resurface-sidewalk reconstruction-both sides	\$143,700 171,700
Endfield Avenue	Brentwood	Kingslea	road reconstruction-sidewalk reconstruction and repair-both sides in conjunction with Regional sewer works	210,300
Hurst Place	MacTab	Park	road reconstruction-sidewalk reconstruction and repair-south side	119,600
Balmoral Avenue South	King	Justine road	reconstruction-sidewalk repairs-both sides in conjunction with Regional watermain works	393,000
East 18th Street	Concession	Fennell	road reconstruction-sidewalk reconstruction-both sides in conjunction with Regional sewer works	856,800
Organ Crescent	Fennell	Upper Kenilworth	road reconstruction-sidewalk reconstruction and repair-both sides in conjunction with Regional watermain works	451,200
TOTAL SECTION -F-				\$2,366,100

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REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Parks and Recreation Committee presents its **FOURTH** Report for 1995 and respectfully recommends:

1. That staff be authorized to withdraw the application made under the Provincial Government's JobsOntario Community Action Program for funding for an Economic Feasibility Study for the West Harbourfront Development Study in the amount of \$100,000.
2. That the President of the T. B. McQuesten Steering Committee or his designate be appointed as a member of the West Harbourfront Development Study Steering Committee.
3.
 - (a) That the Hamilton Children's Museum participate in the Gage Park skating day being organized by the Friends of Gage Park; and
 - (b) That the Hamilton Children's Museum, in cooperation with the Friends of the Hamilton Children's Museum, offer an open house at the Museum, waiving admission fees for the day of 1995 February 4 (or fall back date 1995 February 18th due to weather conditions).
4. That the City, through the Department of Culture and Recreation, apply for a Designated Property Grant administered through LACAC (Planning and Development Department) in the amount of \$3,000. for the reconstruction of the rusticated doors on the Dovecote during the 1995 Dundurn Castle restoration project.
5. That the City, through the Department of Culture and Recreation, apply for a grant from the Federal Government Access to Archaeology Programme (Public Awareness Component) for up to \$20,000. to increase the scope of the public archeology component scheduled for the next phase of restoration on Dundurn Castle.

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6. (a) That the Terms of Reference for a Planning Study for the Hamilton Military Museum as outlined in Appendix "A" attached hereto, be approved; and,
(b) That staff carry out the necessary steps to implement and complete this internal project.
7. (a) That a sub-committee of the Hamilton Historical Board be formed for the specific purpose of fundraising for the restoration and long term maintenance of the World War I German 77mm Field Gun; and,
(b) That this Field Gun be adopted as a "Hamilton Remembers" project whereby the gun would be unveiled during Hamilton Sesquicentennial, as a war memorial.
8. (a) That the City of Hamilton renew a Licence Agreement with Ontario Hydro for the use of lands described as Part 1, Plan 62R-10869 for a pedestrian walkway between Thorner Park and Limeridge Mall effective 1995 April 1; and,
(b) That the annual charge of \$500. be charged to Account No. CH56304 62102 (Hydro - General Park Maintenance); and,
(c) That the Mayor and City Clerk be authorized and directed to execute a Licence Agreement in a form satisfactory to the City Solicitor.
9. That approval be granted to issue the following complimentary prizes for the Indoor Golf fundraising event sponsored by the Hamilton and District Volunteer Centre:
 - (a) One Family Pass redeemable at any City-operated Museum (value \$15.); and,
 - (b) One Family Pass to a City-operated Recreation Centre (value \$70.).
10. That, in order to correctly reflect a term of two years, Section 2, Sub-Section (a) of the First Report of the Parks and Recreation Committee, approved by City Council at its meeting held 1994 December 13, be amended to read as follows:

- "(a) That approval be granted to enter into an agreement with Automatic Mart Corporation (Fred Ernst, Owner and President) for a period of two years beginning 1995 January 1, and scheduled to terminate 1996 December 31, for the supply, installation and service of Sports Card Vending Machines at selected City Arenas and Recreation Centres; and,"
11. (a) That approval be given for a one time donation of \$1,987.62 to the newly formed Hamilton District Sledge Hockey Association from the Special Needs Section of the Department of Culture and Recreation; and,
- (b) That all registration fees for sledge hockey beginning January 1995 go directly to the Sledge Hockey Association.
12. (a) That the position of Coordinator of Senior Services & Food Services, Salary Schedule K, be deleted from the Culture and Recreation Department's complement as a result of the retirement of the incumbent; and,
- (b) That the position of Senior Citizens Centre Supervisor, Salary Schedule M, be deleted from the Department's complement effective 1994 December 31; and,
- (c) That the existing complement of Community Centre Supervisor positions, salary Schedule K2, be increased by one effective 1995 January 1; and,
- (d) That the resulting savings be incorporated into the Culture and Recreation Department's 1995 Operating Budget.
13. (a) That as per the request for non-paid ice time submitted by the Technical Development Committee of the Hamilton Minor Hockey Council, ice time be allotted for a total of 24 hours in order to conduct three Initiation to Body Contact Clinics during the months of May, June and July; and,
- (b) That this ice be awarded at the subsidized rate of \$35./hr.; and,

- (c) That in accordance with Section 11 of the 17th Report of the Parks and Recreation Committee for 1993 approved by City Council on 1993 October 26, prior to the utilization of a Civic Arena, an audited Financial Statement from the Technical Development Committee be received by the City no later than 1995 February 28, which, upon verification of financial hardship, the Culture and Recreation Department report back to Committee recommending appropriateness of direct subsidization or the provision of these hours at no cost; and,
 - (d) That staff report on and recommend a process for all future requests for subsidized or non-paid ice time for consideration.
- 14.
- (a) That the Geotechnical Investigation and Condition Survey of 15 City tennis facilities completed by Trow Consulting Engineers Ltd. as outlined in Appendix "B" attached hereto, be received; and,
 - (b) That the necessary Capital Works set out in the chart attached hereto as Appendix "B", at an estimated cost of \$1,173,000., be incorporated within the Draft Culture and Recreation 1995 - 2004 Capital Budget Submission for consideration by Parks and Recreation Committee and City Council; and,
 - (c) That this Budget Submission include an amount of \$15,000. for a colour coating to be applied to the King's Forest tennis facility which due to its recent refurbishment did not form a part of this Study; and,
 - (d) That Appendix "C" attached hereto be accepted as the proposed remediation schedule representing an amalgamation of the Geotechnical Investigation and Condition Survey and staff's recommendation for redevelopment based upon programming requirements; and,
 - (e) That this Budget Submission be reviewed annually in order to accommodate any repairs required ahead of schedule, or delayed due to the level of observed deterioration.
15. That the off season ice schedule allocation plan for the Mountain Skating Centre, scheduled to begin 1995 April 24 and terminated 1995 October 8, attached hereto as Appendix "D", be approved.

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16. That, in order to inform the public of the proposed reconstruction of the walkways in Gore Park in 1995, the Public Works Department be authorized to implement a public input/awareness programme, to be located in the area west of the Queen Victoria Statue and to include the installation of a sign, as per the text contained in Appendix "E" and a sample panel of the architectural patterned concrete to match the existing walkway on James Street South.
17. (a) That the existing lease between the City of Hamilton and R & J Duckworth be terminated by the City upon 120 days written notification effective after Council approval and that demolition of the structure located at 130 Lawrence Road take place upon the City receiving vacant possession and costs for the demolition be charged to Account No. CH5X306 00201 (Reserve for Parklands - Related Property Costs); and,

(b) That the City Solicitor be authorized and directed to prepare the necessary Notice of Termination of the Lease.
18. (a) That approval be given for the design submitted by the Native Indian/Inuit Photographers' Association, drawn by artist Broderick Hill, to be the subject of the mural to be erected on James Street South immediately south of the Hunter Street underpass; and,

(b) That the Native Indian/Inuit Photographers' Association be asked to provide further details to the Arts Co-Ordinator on the technical translation of the proposed design onto the wall with regard to materials to be used and environmental considerations.
19. That the City of Hamilton formally withdraw from "The Ontario Sport Legends Hall of Fame and Museum" project and that the current "Ontario Sport Legends Hall of Fame and Museum Board of Directors", be disbanded.

Respectfully Submitted,

Kevin C. Christenson
Secretary

ALDERMAN T. JACKSON, CHAIRPERSON
PARKS AND RECREATION COMMITTEE

1995 January 24

Appendix "A" as referred to in
Section 6 of the FOURTH Report
of the Parks and Recreation
Committee 1995

THE HAMILTON MILITARY MUSEUM

STATEMENT OF PURPOSE

The Hamilton Military Museum has been established to collect, preserve, research, house, exhibit and interpret, according to museum standards, all those objects which best serve to illustrate the military history and traditions of Canada from the Loyalist period to ca.1972, using local examples wherever possible. It will promote public awareness of the collection through exhibitions, tours, programmes and written documentation, however, the building and objects on display will never be at risk as preservation will always be the first concern.

EARLY HISTORY

The Hamilton Military Museum had an unsteady "birth" as a City of Hamilton Museum. It was conceived as a solution to the threatened loss of a Dundurn Castle building rather than as a project of itself: "Our Military Museum all began because we had in our park an unused early estate house built on a battery location of the war of 1812. It was to be over-run by a road widening scheme, so beloved of traffic engineers these days. We felt it important to save the house and its association and therefore had to conceive some purpose to justify the expense of moving and the renovations involved" (Moogk to Brock, March 2, 1977).

Funds were secured to move and service the building, although money to recreate the battery itself was cut from the final budget. Little time or funds were set aside for museum functions. There was no funding provided for staff. They were hired through Dundurn Castle's budget.

There was also no collection. Appeals were made to borrow artifacts from the Canadian War Museum, personal collections and from the local regimental collections. The Museum finally opened on November 14, 1976, with mostly borrowed display items.

STAFF

- | | |
|--------|--|
| 1976 - | Part-time Curator
Full time Caretaker who was to do: cleaning, assist Curator with care of collection, provide security, take tickets and book tours = 1.5 total FTEs |
| 1979 - | Curator became full time and Caretaker part-time;
Part-time General Assistant (Interpreter) for Curator's days off (8 hours per week) = .24FTE+ (1.74 total FTEs) |
| 1984 - | Part-time Interpreters for educational programmes 520 hours per year = .27FTE+ (2.01 total FTEs) |

- 1987 - Full time Curatorial Assistant to work with collection, educational programmes and Interpretive duties = 1.0FTE+ (3.01 total FTEs); days off in summer season covered by existing Interpreter hours
- 1990 - Caretaker full time = .5FTE+ 3.51 total FTEs
- 1991 - Interpreter to cover Curatorial Assistant's days off during off season and cover desk remaining 3 days per week during summer season = .35FTE+ (3.86 total FTEs)
- 1992 - Interpreter hours reduced eliminating coverage for Curator's days off during off season (334- hours) but adjustment for pay equity gained 185 hours = .08FTE- (3.78 total FTEs).

Year	Visitor Staff (excluding Caretaker)	Visitors	Staff:Visitor Ratio
1977	0.5	5,565+	1: 5,565
1984	1.51	32,404	1:21,460
1987	2.51	27,555	1:10,978
1990	2.51	29,956	1:11,935
1993	2.78	26,594	1: 9,566

Interpreters are shared between the Hamilton Military Museum and Dundurn Castle thus providing more hours for existing staff and stretching out the allotments of hours for the Museums. Other staff, such as the Caretaker, work co-operatively with Dundurn Castle to provide staff where and when needed eg. covering vacations.

VISITORS

A 1980 report for the Hamilton Historical Board set an ideal target figure for each City museum to strive to reach in terms of visitors. The Hamilton Military Museum's was set at 12,000. Although attendance has dropped over the last several years the current attendance figures are more than double this suggested number.

1976 -	191 + guests (November 15 - December 31 only)
1977 -	5,565 + guests
1978 -	3,803 + guests
1979 -	6,839 + guests
1980 -	6,080
1981 -	9,956
1982 -	37,116
1983 -	32,372
1984 -	32,404

1985	-	25,621 (closed two months for sprinkler installation)
1986	-	28,816
1987	-	28,394
1988	-	27,985
1989	-	31,470
1990	-	29,956
1991	-	27,154
1992	-	28,881
1993	-	26,594

CURRENT FACILITY

The Museum is housed in Battery Lodge built ca.1834 as the gate keeper's lodge to Dundurn Castle. It consists of an original ground floor and a new basement constructed in 1976 when the building was moved.

The interior dimensions of the building are approximately 30.5' x 34' plus a bay window, (approximately 1,095 sq ft per floor) or 2,190 sq ft for all functions.

It has good air conditioning, heating, lighting and security.

The Museum shares some equipment with nearby Dundurn Castle.

A designated building under the Ontario Heritage Act as part of the National Historic Dundurn Castle estate, there are no options for expanding the building or in other ways altering the exterior appearance.

COLLECTION

Starting with no artifacts when the Museum was developed, the collection began with the remnants of the former military collection from Dundurn Castle (much had been dispersed already, particularly to the regiments). Over the years the collection has grown to about 7,000 items with a strong emphasis on the nineteenth century.

Much of the collection is of general Canadian interest rather than local material. Much of the latter is held in the regimental and service collections (there are at least three unit museums and two collections in the Hamilton Military District).

The Statement of Purpose for the Museum was altered in 1985 to end collecting at ca.1972 due to lack of both storage and exhibition space. It was altered also to reflect the more general nature of the collection.

STORAGE

No storage facilities were incorporated into the original plans. Most items were stored in the Dundurn Castle stables until the early 1980's. They are now housed in approximately 1050 sq ft of space in an off site location. This facility has been highly criticised for its lack of environmental security and space in at least two separate reports.

EXHIBITION

Permanent exhibitions on the Army from ca. 1800 to World War I and the early nineteenth century Navy (including the "Hamilton" and the "Scourge") occupy the upper floor (approximately 680 sq ft of useable space). The lower gallery (approximately 280 sq ft) formerly held rotating exhibits but now houses a permanent exhibition on the World War I Navy and Air Force, along with some miscellaneous inter-war years material.

Although the Museum collects to ca.1972 it cannot effectively display past ca.1930 and the existing displays leave little room for necessary background information and social context. This early cut-off date and lack of proper support material goes against the philosophy for military museum exhibitions in the 1990s.

RESEARCH

The Hamilton Military Museum has a good, but by no means comprehensive, library a portion of which is in long term storage and not currently accessible to either staff or visitors. The Museum works with the Hamilton Public Library to provide as much access as possible to this resource.

PROGRAMMES

Curriculum relevant programmes were developed for school classes commencing in 1981 with an Intermediate level programme on the War of 1812. Since then the Museum has expanded to include appropriate junior level and high school programmes. These programmes are "hands-on" and emphasize the social history of the armed forces.

A series of specific programmes has been introduced to complement the Boy Scout and Girl Guide agendas as well as to interest other community based youth groups. This allows the Museum to reach Primary Grade children as well.

There are no provisions for afternoon visits during public hours; non-artifact areas for creative programmes; support areas for presentations etc.

COMMUNITY NEEDS

What the Hamilton Military Museum does, it does very well but fails to meet a range of other needs such as universal accessibility, special needs or special exhibits of local significance.

AFFILIATION

The Hamilton Military Museum has begun a process of affiliation with the Canadian War Museum, the national collection in Ottawa. The War Museum is seeking to establish relationships with a series of regional museums across Canada. The Hamilton Military Museum is the only one targeted for southern Ontario at this time. As a first step in the process, a Memorandum of Co-Operation was signed in 1992.

HAMILTON-SCOURGE PROJECT

This City of Hamilton Project intends to raise the artifacts and the two ships themselves from the bottom of Lake Ontario with a view to permanent exhibition in the City of Hamilton. One step in the process was to appoint the Curator of the Hamilton Military Museum as acting curator for the exhibitions portion of the Project. This has resulted in the recent installation of a permanent exhibit on the two ships in the Museum.

NEED FOR THE STUDY

The Hamilton Military Museum would appear to have reached its limit in utilizing the existing space. The staff need to plan for future directions, whether it be to make the museum better fit the existing space or whether to look to acquire sufficient space to carry out the current functions properly. The growth potential of the Museum services, collections and programmes needs to be analyzed as well.

The Hamilton Military Museum is connected to three other City capital projects: the need for a renovated or new collections storage area; the exhibition requirements of the Hamilton-Scourge Project and the Dundurn Castle Grounds Study. The relationship between the Museum and these other projects should be more clearly established.

Due to proximity, the Hamilton Military Museum has a special relationship with Dundurn Castle. Should the Museum remain closely associated physically with the Castle? If so, how can both museums maximize the benefits of such a relationship?

An in-depth study will allow the Museum to identify the basic community needs and how best to fulfil them; identify space requirements and basic resources needed.

OBJECTIVES

The objectives of the study will be:

- to assess the overall operation of the Hamilton Military Museum as it currently exists
- to identify the present strengths, weaknesses and restrictions of the current operation
- to prepare a framework for the future operation of the Museum, including several site options
- evaluate, and provide general costs in \$1995, for each option

CONTENT

STATEMENT OF PURPOSE

Review, and revise if appropriate, the Statement of Purpose in keeping with current military museum philosophy and the relationship of the Hamilton Military Museum to other nearby military collections and museums.

PHYSICAL FACILITIES

- 1) Examine and report on the existing facilities with regard to meeting current Museum services and programmes and with regard to meeting regulations/standards as set out in the constraint section.
- 2) Recommend the type and location of facility(s) required to:
 - a) meet existing Hamilton Military Museum and visitor needs
 - b) allow for moderate growth in same
 - c) and/or allow shared services with Dundurn Castle, Hamilton-Scourge, City cultural division storage.
 - using existing facilities
 - heritage structure(s) on or off site
 - purpose built structure on or off site
- 3) Recommend requirements for:
 - administration
 - maintenance; shipping/receiving
 - physical security
 - environmental security
 - staff amenities
 - all museological functions
 - all visitor services
- 3) provide preliminary cost estimates for the various options in \$1995.

FUNDING

Examine present and potential sources of funding for both capital and operating expenses for the next six years.

COLLECTIONS DEVELOPMENT AND MANAGEMENT

- 1) Review the Collection Management Policy and make recommendations for any appropriate change.

- 2) Review the existing storage areas and reports on the situation. Recommend solutions, which meet the physical and environmental standards set in the current Canadian War Museum Study, vis à vis the Hamilton Military Museum collection alone or in conjunction with other City collection needs.
- 3) Review any specialized conservation needs of the collection and recommend how these may best be met.

PROGRAMMES/EXHIBITIONS/RESEARCH

- 1) Review the current exhibitions, programmes and special events with regard to current space and resources, the mandate of the Museum and meeting the needs of the community.
- 2) Review and make recommendations for fully serving all segments of the community, particularly those with a disability.
- 2) Make recommendations as to minimum and ideal needs for the Museum alone or in conjunction with other institutions and organizations.

VISITOR SERVICES AND FACILITIES

- 1) Review the ability of the Museum to provide needed services and support (washrooms, cloakroom, lunchroom, theatre, meeting room, gift shop, food services, parking etc.)
- 2) Review and make recommendations for fully serving all segments of the community, particularly those with a disability.
- 3) Recommend the minimum and ideal types of services and facilities required for the Museum alone or in conjunction with other institutions or organizations.

STAFF

- 1) Review existing staffing levels and make recommendations for any increases necessary to properly carry out existing functions and services for current audience level.
- 2) Make recommendations for any staff increases required to allow for moderate growth in any function(s) or service(s).
- 3) Examine the role of volunteers in existing and future facility.

ROLE IN THE COMMUNITY

- 1) Review the existing ties and services to the local community and make any recommendations for improving or expanding same.
- 2) Review and make recommendations on the relationship between the Museum and specific segments of the community. These should include but are not confined to:
 - local school boards, private schools
 - youth groups eg. Girl Guides
 - adult groups eg. seniors centres
 - veterans organizations
 - other local military collections and museums
 - the Hamilton Military District
 - special interest groups eg. modellers
 - French language needs

ROLE PROVINCIALLY AND NATIONALLY

- 1) Review the current and potential relationship with other military museums in the province and country, particularly the Canadian War Museum; and with national organizations such as the Canadian Armed Forces.
- 2) Recommend ways to improve services to the public through wider ties eg. research materials through interlibrary loan.
- 3) If the Museum remains on Burlington Heights, how best to take advantage of this major military site which has been recognized both provincially and federally.
- 4) If closer ties are to be established with local and federal agencies, such as the armed forces, examine the feasibility of making the Museum a fully bilingual institution. Make recommendations to implement same.

CONSIDERATIONS

The Study must consider the foregoing issues with regard to the following (in no particular order):

- 1) The overall goals and objectives of the Department of Culture & Recreation as outlined in its Master Plan.
- 2) Relevant goals and objectives of the City of Hamilton eg. tourism.
- 3) Local fire regulations and building codes.
- 4) Federal firearms regulations.
- 5) Occupational Health and Safety Regulations.
- 6) Currently accepted museological standards.
- 7) The report for The Task Force on Military History Collections in Canada (1991).
- 8) Museological design standards as set forth in the Canadian War Museum Feasibility Study (1992).
- 9) Any affiliation agreement between the Hamilton Military Museum and the Canadian War Museum.
- 10) The study team will be co-ordinated by the Manager of Cultural Service and consist of: Curator and staff of the Hamilton Military Museum, a citizen member, a Hamilton Historical Board member, and interested and appropriate group(s) or individuals. The latter might include representatives from education, youth groups, the military and the veterans, the library, McMaster University and the local neighbourhood.

Appendix "B" as referred to in
Section 14 (a) and (b)
of the FOURTH Report of the
Parks and Recreation Committee
for 1995

Geotechnical Investigation & Condition Survey
15 Tennis Courts, Hamilton, Ontario

Summary Table 2
Priority List

Priority	Name	Location	(Year) Repair Requirements	Estimated Cost*
1	Globe Park	4	(95) - Full depth reconstruction and replacement of associated elements (02) - Crack Seal Total	\$102,625.60 <u>\$ 1,232.00</u> \$103,857.60
2	Parkdale Park	3	(95/96) - Full depth reconstruction and replacement of associated elements (00/01) - Crack Seal Total	\$79,833.60 <u>\$ 1,232.00</u> \$81,065.60
3	MacNab Centre	16	(95/96) - Full depth reconstruction and replacement of associated elements (02) - Crack Seal Total	\$159,420.80 <u>\$ 1,232.00</u> \$160,652.80
4	Westdale	8	(95) - New Fence - East & South Sides - Crack sealing (97) - Full depth reconstruction - Subdrain installation (97) - Colour coat Total	\$ 16,632.00 \$ 2,464.00 \$113,430.24 \$ 11,827.00 <u>\$ 24,061.00</u> \$168,414.40
5** (1)?	Bennetto Centre	10	(95) - Sink hole repair (96) - New fence (99) - Full depth reconstruction Total	\$ 4,065.60 \$16,262.40 <u>\$44,315.04</u> \$64,643.04
6	Lawfield Centre	15	(95/96) - Crack sealing (97) - Resurfacing - Colour coat - New fence Total	\$ 1,232.00 \$ 55,440.00 \$ 25,872.00 <u>\$ 32,032.00</u> \$114,576.00
7	Hill Park	12	(95/96) - Crack sealing (97) - Resurfacing - Colour coat - New fence Total	\$ 1,232.00 \$ 47,216.40 \$ 21,991.20 <u>\$ 30,800.00</u> \$101,239.60

Geotechnical Investigation & Condition Survey
15 Tennis Courts, Hamilton, Ontario

Priority	Name	Location	(Year) Repair Requirements	Estimated Cost*
8	Central Park	9	(95/96) - New fence (north side) - Crack seal (01) - Resurfacing Total	\$ 3,696.00 \$ 1,232.00 <u>\$19,958.40</u> \$24,886.40
9	Victoria Park	7	(95/96) - Replace fence mesh and pole painting - Crack sealing (00) - Resurfacing - Colour coat Total	\$10,842.00 \$ 2,464.00 \$39,732.00 <u>\$15,954.00</u> \$68,992.00
10	Hillcrest	5	(95/96) - New fence (east and west side) - Regrading (02) - Resurfacing Total	\$ 8,008.00 \$ 1,232.00 <u>\$ 8,870.40</u> \$18,110.40
11	Pinky Lewis Centre	11	(97) - Replace fence mesh and paint poles (03) - Resurfacing Total	\$ 8,624.00 <u>\$23,100.00</u> \$31,724.00
12	Rosedale (Gage Park)	1	(95) - Crack sealing (96) - New paint for fence (03) - Resurfacing - Colour coat surface Total	\$ 1,232.00 \$20,697.60 \$47,308.80 <u>\$22,077.44</u> \$91,315.84
13	Huntington	14	(95) - Replace 8 net pole bases (97) - Crack sealing (03) - Colour coat Total	\$ 2,957.00 \$ 2,464.00 <u>\$18,627.84</u> \$24,048.84
14	Inch Park	13	(97) - New fence (west side) (04) - Resurfacing Total	\$ 4,435.00 <u>\$22,176.00</u> \$26,611.22
15	H.A.A.A. Park	6	(97) - Crack sealing (03) - Colour coat surface Total	\$ 1,232.00 <u>\$11,211.20</u> \$12,443.20
GRAND TOTAL				\$1,092,580.92

* Estimated Cost includes 7% Design and Administration, 5% Inspection, and 10% Contingency Cost

** Significant Safety Issue

*GRAND TOTAL ADJUSTED FOR INFLATION \$1,173,000.00

Appendix "C" as referred to in
Section 14 (d) of the FOURTH
Report of the Parks and
Recreation Committee for 1995

1995

MacNab	159,420	
Hill Park	101,239	
Kings Forest-Colour Coat	15,000	
Bennetto - Hole Repair only	<u>5,000</u>	
Total	280,659	281,000

1996

Westdale-Full Depth Construction	168,413	
Parkdale-Full Depth Construction	<u>81,065</u>	
Total	249,478	
3% Inflation	<u>7,484</u>	
Total	256,962	257,000

1997

Victoria Park-Fence Crack Colour Coat	30,000	
Lawfield - Resurface	114,000	
Pinky Lewis - Fence	<u>9,000</u>	
Total	153,000	
6% Inflation	<u>9,180</u>	
Total	162,180	162,000

1998

Huntington-Crack Sealing, Minor Repairs	5,000	
Bennetto - Fence	16,000	
Inch Park - Fence	5,000	
Globe Park - Full Depth Reconstruction	<u>103,000</u>	
Total	129,000	
9% Inflation	<u>12,000</u>	
Total	141,000	141,000

1999

Hillcrest - New Fence	9,000	
Rosedale - New Fence	21,000	
H.A.A.A. - Crack	2,000	
Bennetto - Full Depth Reconstruction	<u>44,000</u>	
Total	76,000	
12% Inflation	<u>9,000</u>	
Total	85,000	85,000

Page 2

2000

Victoria - Resurface	40,000	
15% Inflation	<u>6,000</u>	
Total	46,000	46,000

2001

Central Park - Resurface	20,000	
18% Inflation	<u>3,000</u>	
Total	23,000	25,000

2002

Hillcrest	8,870	
21% Inflation	<u>1,890</u>	
Total	10,760	11,000

2003

Pinky Lewis - Resurface	23,100	
Rosedale (Gage) Resurface/Colour	69,000	
Huntington - Colour Coat	<u>19,000</u>	
Total	111,100	
24% Inflation	<u>26,000</u>	
Total	137,100	137,000

2004

Inch Park - Resurface	22,176	
27% Inflation	<u>6,000</u>	
Total	28,176	<u>28,000</u>

Total		\$1,173,000
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Appendix "D" as referred to
in Section 15 of the FOURTH
Report of the Parks and
Recreation Committee for 1995

August 28 - October 8, 1995

Fall Session Schedule

MOUNTAIN SKATING CENTRE

	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
6 - 7 am							
7 - 8 am							
8 - 9 am							
9 - 10 am							
10 - 11 am			Senior Skate 9:30 - 11:30	Pre-School 9:30 - 10:30			
11 - 12 noon							
12 - 1 pm				Adult Skate 11:45 - 1:15		Hamilton Skating Club 8:30 - 2:30	
1 - 2 pm							
2 - 3 pm							
3 - 4 pm							
4 - 5 pm							
5 - 6 pm						Fun Skate 3:00 - 4:45	Fun Skate 3:00 - 4:45
6 - 7 pm						Family Skate 5:00 - 6:30	Adult Skate 5:00 - 6:30
7 - 8 pm						Adult Skate 6:30 - 8:00	Adult Skate 6:30 - 8:00
8 - 9 pm							
9 - 10 pm						Fun Skate 8:00 - 9:45	Fun Skate 8:00 - 9:45
10 - 11 pm							
11 - 12 am							
12 - 1 am							

MOUNTAIN SKATING CENTRE Summer Session Schedule June 5 - August 27, 1995

	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
6 - 7 am							
7 - 8 am							
8 - 9 am							
9 - 10 am	Hamilton Skating Club 8:00 - 3:00	Hamilton Skating Club 8:00 - 3:00	Hamilton Skating Club 8:00 - 3:00	Hamilton Skating Club 8:00 - 3:00	Hamilton Skating Club 8:00 - 3:00		
10 - 11 am	July 3 to Aug. 11	July 3 to Aug. 11	July 3 to Aug. 11	July 3 to Aug. 11	July 3 to Aug. 11		
11 - 12 noon							
12 - 1 pm							
1 - 2 pm							
2 - 3 pm							
3 - 4 pm							
4 - 5 pm	Fun Skate 4:00 - 5:45		Fun Skate 4:00 - 5:45		Fun Skate 4:00 - 5:45	Fun Skate 3:00 - 4:45	Fun Skate 3:00 - 4:45
5 - 6 pm						Family Skate 5:00 - 6:30	Family Skate 5:00 - 6:30
6 - 7 pm	Hamilton Power Skating School 6:00 - 9:00	Pro Power Skating 4:00 - 10:00		Pro Power Skating 4:00 - 10:00	Senior Skate 6:00 - 7:30	Adult Skate 6:30 - 8:00	Adult Skate 6:30 - 8:00
7 - 8 pm							
8 - 9 pm							
9 - 10 pm	Adult Skate 9:15 - 10:45				Fun Skate 8:00 - 9:45	Fun Skate 8:00 - 9:45	Fun Skate 8:00 - 9:45
10 - 11 pm							
11 - 12 am							
12 - 1 am							

April 24 - June 4, 1995

Spring Session Schedule

MOUNTAIN SKATING CENTRE

	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
6 - 7 am							
7 - 8 am							
8 - 9 am							
9 - 10 am		Pre-School 9:30 - 10:30		Pre-School 9:30 - 10:30		Hamilton Skating Club 8:00 - 3:00	
10 - 11 am			Senior Skate 9:30 - 11:30				
11 - 12 noon							
12 - 1 pm		Adult Skate 11:45 - 1:15		Adult Skate 11:45 - 1:15			
1 - 2 pm	Senior Skate 1:30 - 3:00						
2 - 3 pm		Pre-School 1:30 - 2:30		Pre-School 1:30 - 2:30			
3 - 4 pm							
4 - 5 pm						Fun Skate 3:00 - 4:45	Fun Skate 3:00 - 4:45
5 - 6 pm							
6 - 7 pm						Family Skate 5:00 - 6:30	Adult Skate 5:00 - 6:30
7 - 8 pm						Senior Skate 6:30 - 7:30	Senior Skate 6:30 - 7:30
8 - 9 pm							
9 - 10 pm						Fun Skate 7:30 - 9:15	Fun Skate 7:30 - 9:15
10 - 11 pm							
11 - 12 am							
12 - 1 am							

Appendix "E" as referred to in
Section 16 of the FOURTH Report
of the Parks and Recreation
Committee for 1995

TEXT FOR THE SIGN

GORE PARK WALKWAYS

Description

The City of Hamilton is planning to replace the existing walkways with an architecturally patterned concrete walkway resembling the existing natural stone. Immediately in front of this sign is a sample of the proposed walkway. The concrete surface has been coloured and textured to resemble natural limestone. The pattern is called "Ashlar" to match the existing pattern of the walkways.

Work is expected to begin by _____ and last approximately ____ weeks. Funding has been approved to reconstruct the walkways in Gore Park in 1995. Before the City of Hamilton proceeds with this project, this panel has been installed to convey information about this project and the type of material to be used for replacement of the existing stone walkway.

The Benefits

The proposed walkway surface offers many benefits including the durability of a concrete walkway, slip resistance, low maintenance, high aesthetic appeal and the visual continuity of an existing element in the park.

Public Input

All citizens and special interest groups are invited to inspect this sample and to send their comments to the City of Hamilton, Department of Public Works, Parks Division, City Hall, 71 Main St. W., Hamilton, Ontario, L8N 3T4 or you can call the Parks Division at (905) 546-2409. Thank you for your consideration.

1995 January 31

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **FIFTH** Report for 1995 and respectfully recommends:

1. That approval be given to Zoning Application 94-31, The Regional Municipality of Hamilton-Wentworth, owner, requesting a modification to the established "AA" (Agricultural) District regulations, to permit a penny arcade with a maximum of 30 machines, for property located at 680 Van Wagner's Beach Road, as shown on the attached map marked as Appendix "A", on the following basis:
 - (a) That the "AA" (Agricultural) District regulations as contained in Section 7A of Zoning By-law No. 6593, applicable to the subject property be modified to include the following variance as a special requirement:
 - (i) That notwithstanding Section 7A.(1)(c) of Zoning By-law No. 6593, a penny arcade with a maximum of 30 machines shall be permitted accessory to the public use of a theme park; and,
 - (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1338, and that the subject lands on Zoning District Maps E-121 and E-122 be notated S-1338; and,
 - (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593, and Zoning District Maps E-121 & E-122 for presentation to City Council; and,
 - (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

2. That approval be given to amended Zoning Application ZAC-94-27, Gerald Coleman and Robert Coleman, owners, requesting a modification in zoning to the established "C" (Urban Protected Residential, etc.) District to permit the use of the subject land for a photographer's studio and one residential unit, for property located at 71 Rymal Road West, as shown on the attached map marked as Appendix "B", on the following basis:
 - A. That the "C" (Urban Protected Residential, etc.) District regulations as contained in Section 9 of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variances as special requirements:
 - (a) That notwithstanding the provisions of Section 9(1) of Zoning By-law No. 6593, only the following uses shall be permitted:
 - (i) a photographer's studio; and,
 - (ii) one residential dwelling unit in the same building as the photographer's studio; and,
 - (b) That a landscaped planting strip having a minimum width of 3.0 m, and a visual barrier of not less than 1.2 m in height and not greater than 2.0 m in height, shall be provided and maintained along the southerly property line; and,
 - (c) That a landscaped planting strip having a minimum width of 1.2 m, and a visual barrier of not less than 1.2 m in height and not greater than 2.0 m in height, shall be provided and maintained along the westerly property line where it adjoins a residential district, except that no visual barrier shall be situated closer than 3.0 m in distance from the front lot line; and,
 - (d) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1337, and that the subject lands on Zoning District Map W-9E be notated S-1337; and,
 - (e) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-9E for presentation to City Council; and,

- (f) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- B. That Site Plan Control By-law No. 79-275, as amended by By-law 87-233, be amended by adding the subject lands to Schedule "A".
- 3. (a) That approval be given to the "Intent to Designate" the 9 units of the James South Stone Terrace at 142, 144, 146, 148, 150, 152, 154, 156 and 160 James Street South as properties of historical and architectural value, pursuant to the provisions of the Ontario Heritage Act, 1989, as outlined in the Reasons for Designation attached herewith and marked Appendix "C"; and,
(b) That the City Solicitor be authorized as directed to take appropriate action to have these properties designated pursuant to the provisions of the Ontario Heritage Act, 1989.
- 4. (a) That in accordance with the Cash-in-Lieu Policy that John Flynn of Sonke Holdings, be required to pay to the City of Hamilton the sum of \$22,500. which is 50% of the cost of providing six parking spaces for the property at 1004-1006 King Street West at a cost of \$45,000.
(b) That the City Solicitor be directed to prepare the Cash-in-Lieu Agreement as required.
- 5. (a) That the Terms of Reference for the Official Plan Review, attached as Appendix "D", including the funding and additional staffing requirements, be approved.
(b) That the Treasurer be directed to consolidate the following Capital Projects accounts with all the revenues and expenditures being transferred to a new consolidated Capital account titled "Special Planning Projects":
 - (i) CF 548741001 Municipal Housing Statement Update
 - (ii) CF 548841002 Housing Intensification Study
 - (iii) CF 548953001 Niagara Escarpment Plan Implementation
 - (iv) CF 548953002 Building Profile Program
 - (v) CF 549055005 Statement of Land Use Planning - Housing

1995 January 31

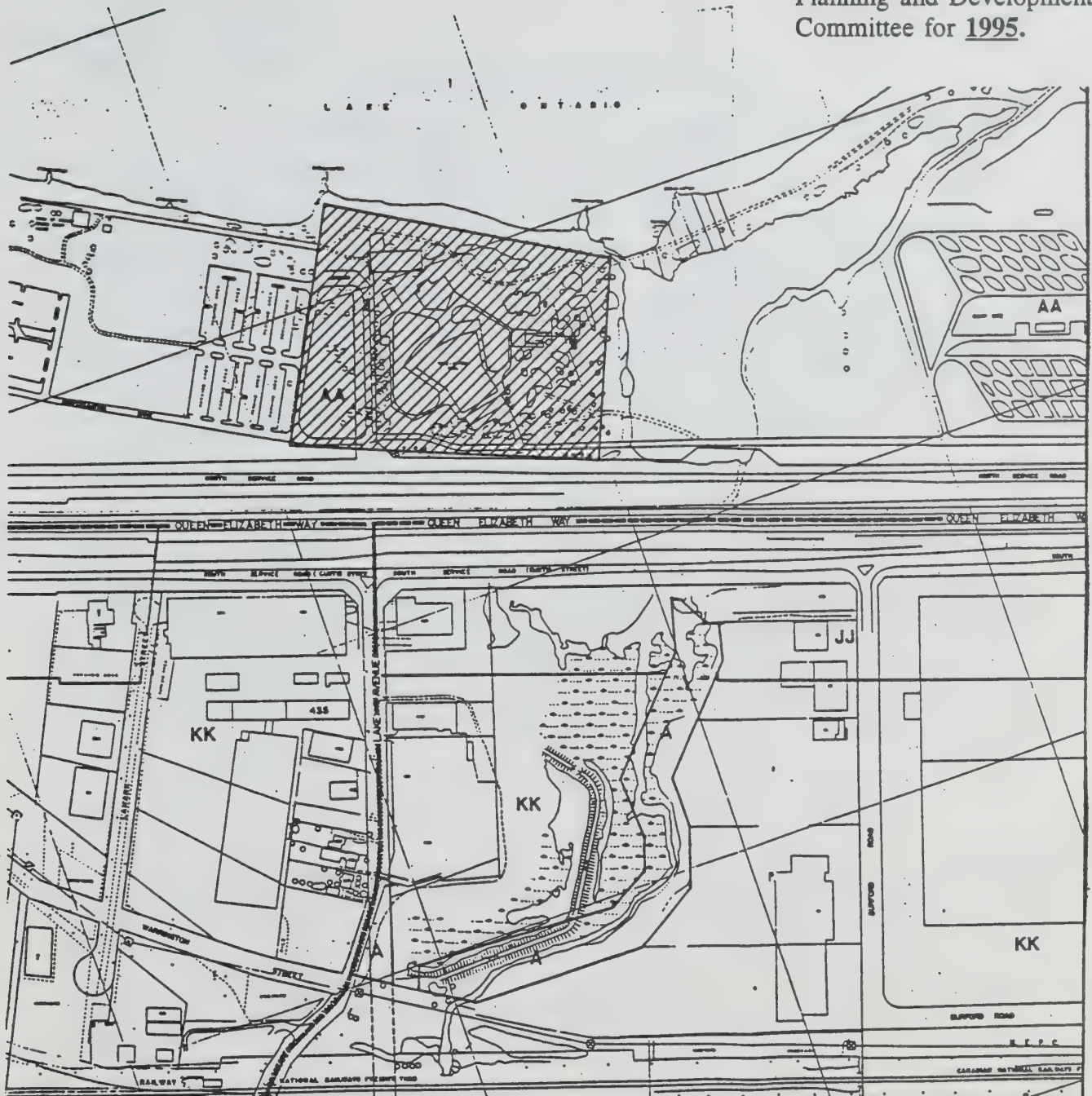
6. That \$5,000. be provided for the Seventh Annual Business Development Seminar that is being held on 1995 October 25, from Phase IV of the Downtown Action Plan Account Number CF 5200-428803000.
7. That the City of Hamilton's Public Works Department, in conjunction with the Keep Hamilton Clean Committee, hold the 7th Annual Public Service Announcement Competition through Mohawk College Media Studies Program and CHCH-TV at a total estimated cost of \$3,000.
8. That leave be granted to introduce the following Bills:
 - (a) Bill C-10 A By-law to Amend Zoning By-law No. 6593 as amended by Zoning By-laws No. 83-192 and 94-008 respecting land located at Municipal No. 303 York Boulevard
 - (b) Bill C-11 A By-law to Amend Zoning By-law No. 6593 as amended by Zoning By-law No. 95-02 respecting Ainslie Wood Neighbourhood, Ainslie Wood East Neighbourhood, Ainslie Wood North Neighbourhood and Ainslie Wood West Neighbourhood.

RESPECTFULLY SUBMITTED,

**ALDERMAN D. DRURY, CHAIRPERSON
PLANNING AND DEVELOPMENT
COMMITTEE**

**Stella Glover
Secretary**

1995 January 25



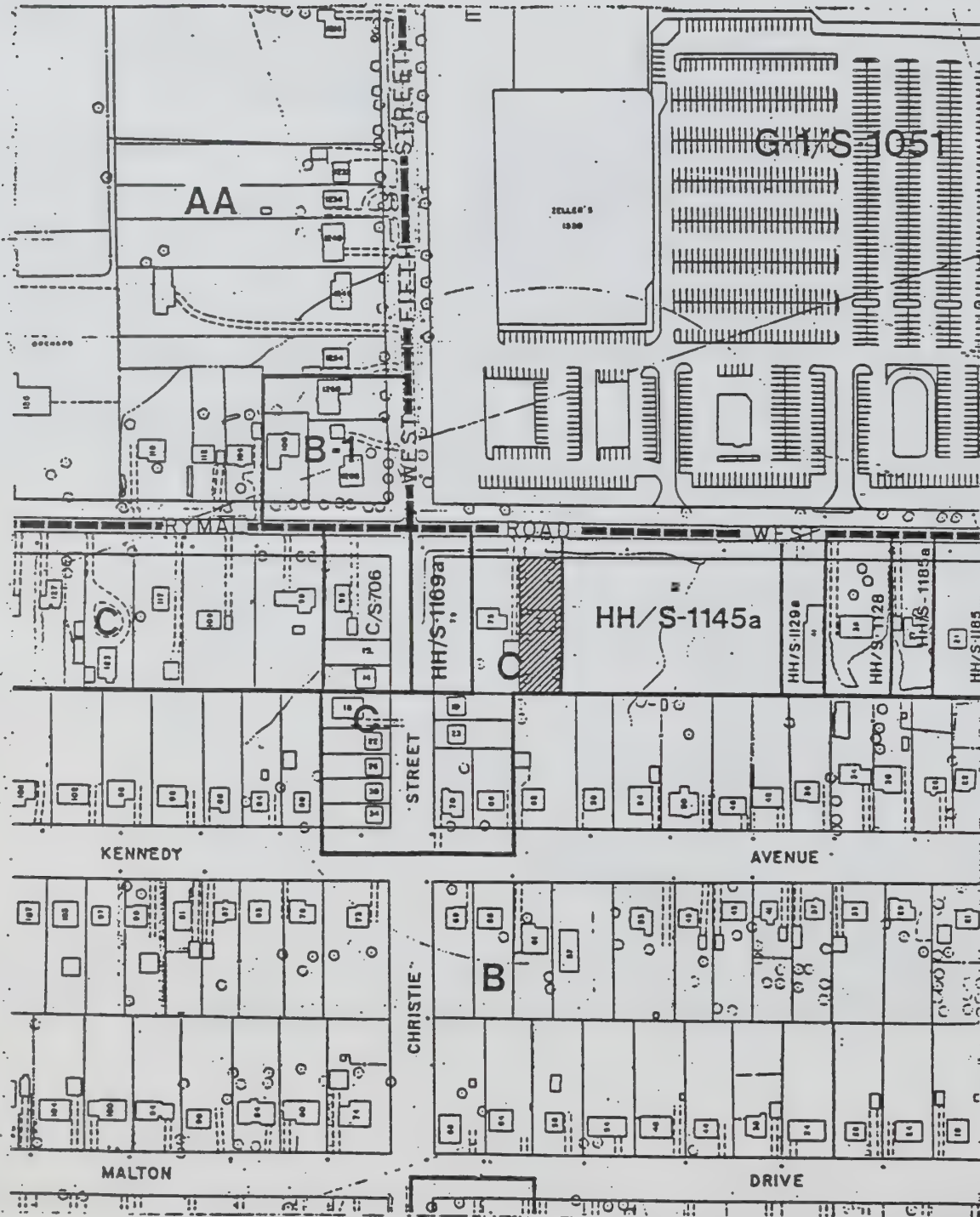
Legend



Modification to the established "AA" (Agricultural) District



Appendix "B" referred
to in Section 2 of the
FIFTH Report of the
Planning and Development
Committee for 1995.



Legend



Site of the Application

ZAC-94-27

REASONS FOR DESIGNATION

James South Stone Terrace 142 – 160 James Street South, Hamilton

Context

Built between 1854 and 1860, the ten-unit stepped stone terrace extending along the west side of James Street South between Bold and Duke is a landmark and major anchor block in the James South heritage streetscape. Today, this long stone terrace dominates a row of historic buildings just south of the railway underpass; opposite, on the east side of James, the 19th and early 20th century buildings have been largely displaced by office towers.

Since Hamilton's early development, James Street has been a principal thoroughfare providing a vital transportation link between the waterfront and escarpment to the south. With the southward urban growth beginning in the 1850s, James Street South evolved as part of the city's most desirable residential area, noteworthy for its prestigious stone mansions and terraces, and later large Victorian homes. The first dramatic changes to the streetscape took place in the 1930s with two major construction projects: the TH&B railway underpass, which disrupted the visual continuity of James Street South, and the imposing 8-storey Medical Arts Building, a precursor of the modern high-rise development now scattered along its length. Less intrusive changes have resulted from the progressive conversion of single-family and row houses to commercial use: notably, the introduction of business signage and alterations to lower street facades.

History

Built for three separate owners: merchant John Mackenzie (#142-144), contractor George Murison (#146-154), and manufacturer Alexander Gordon (#156-160), all ten units were originally rented as single-family dwellings to prominent businessmen and professionals. After 1900, an increasing number of doctors and dentists took up residence and opened home practices in the terrace, a reflection of the growing concentration of medical practitioners in the immediate area. Since the 1950s the terrace has served a mixed commercial/residential use accommodating a variety of stores, galleries, restaurants, professional offices, and upper floor apartments.

Of particular interest is George Murison's association with the stone terrace: he was a well-respected contractor appointed in 1858 as builder of the Custom House and also played an active role in local politics, serving as a city councillor from 1856 to 1871, with one year as mayor in 1870. Another prominent Hamiltonian, Samuel Mills, owned the Gordon buildings in the 1860s. A highly successful businessman, who eventually became known as "one of the three wealthiest men in Hamilton", Mills also gained political recognition when appointed a life member of the Legislative Council of the Province of Canada in 1847 and a senator in the year of Confederation.

Architecture

The stone terrace on James Street South is one of few surviving pre-Confederation rowhouses in Hamilton. While the rowhouse was a common building type in the city, relatively few were built of stone; and of these early stone terraces dating from the 1850s and 60s, a number of fine examples have been lost (notably, Palmerston Terrace on Jackson Street West). In the area south of Main Street (known today as the Durand Neighbourhood) where the concentration of stone terraces was greatest, only four are still standing – Sandford Place on Duke Street, Herkimer Terrace, 122–126 MacNab Street South, and the James South terrace.

The James South Stone Terrace is distinguished by its unrivalled length, the forceful simplicity of its design, and its finely crafted limestone ashlar facade. Erected by skilled immigrant masons using stone quarried locally from the escarpment, this terrace displays the high quality of design and workmanship that characterized Hamilton's early stone architecture. Although built in blocks for three different owners on a sloping site, the overall row possesses a homogeneous character achieved through the consistent use of limestone, uniform set-back and standard rowhouse format. Subtle distinctions were, however, created by varying the proportions and detailing of the three blocks. The two MacKenzie units feature 2-storey pilasters and a horizontal string course between the first and second storey; the Murison Block is distinguished by its taller second-storey proportions and bracketed eaves; while the three Gordon units are narrower and, unlike the other ones, their entrances are located in the north bay.

On the whole, the terrace has survived remarkably well: the addition of dormers and one mansard roof (#158) as well as alterations to entrance doorways, stairways, and windows have not seriously undermined its original appearance. The only major change has been the replacement of the first storey stone facade at #156 by a projecting brick addition with a modern glazed storefront.

Designated Features

Important to the preservation of the James South Stone Terrace are the original features of the east (front) facades and north end wall, including: the limestone masonry walls and parapets; the cut stone sills, lintels, string courses, and pilasters; the original doorways and windows; and the bracketed eaves and other original details. Excluded are: the projecting store front added to #156; the various dormer additions; and the modern entrance porches, stairways, windows and doors.

Terms of Reference:

The Hamilton Official Plan Review

Prepared By:

Local Planning Branch
Hamilton-Wentworth
Planning and Development Department

January, 1995

SECTION 1: INTRODUCTION

1.1 What is an Official Plan?

The Official Plan is a municipality's most important land use planning document. The Official Plan maps the future land use direction of a municipality and provides a blueprint for effectively managing future growth. Traditional Official Plans provide the basic framework for land use planning-based decision making. However, over the last several years, new Official Plans have broadened their scope to address issues and concerns that are not directly land use based. Examples of these new directions include policies on health, culture, education, economic growth, quality of life, etc. In addition, new concepts have emerged, such as sustainable development, which will shape the nature of municipal planning through the 1990's and beyond.

1.2 The City's Official Plan and the Need for a Review

The original Official Plan for the City was developed in 1945 by E.G. Faludi. The City undertook a major review in 1982 based on a number of background studies that were completed in the late 1970's. Since that time, 128 amendments have been processed including 5 housekeeping amendments. These amendments have kept the Official Plan relatively up-to-date by including new Provincial policies, new planning directions initiated by the City and various wording and mapping changes.

In May, 1994, the Region of Hamilton-Wentworth adopted a new Official Plan entitled *Towards a Sustainable Region* which embraces the new philosophies of the 1990's such as sustainable development, environmental awareness, etc. The Official Plan also identifies a number of initiatives that local area municipalities must undertake to bring their respective Official Plans into conformity with the Regional Official Plan.

From a legal perspective, Section 26(1) of the Planning Act states:

"The council of every municipality that has adopted and had an approved official plan shall from time to time, and not less frequently than every five years, hold a special meeting of council, open to the public, for the purposes of determining the need for a revision of the official plan."

Within the spirit of the Planning Act, a comprehensive public participation process will be established to solicit input from the public, the Region, Provincial ministries and other agencies. The process also identifies key time frames when specific groups will be consulted.

The introduction to the Provincial Legislature of Bill 163 through First Reading on May 18, 1994 will also impact upon the review of Hamilton's Official Plan. Resulting from the efforts of the Commission on Planning and Development Reform chaired by John Sewell, Bill 163 embodies a number of themes and concepts that were advocated in the Commission's Final Report entitled New Planning In Ontario. It is anticipated the Bill will receive Royal Assent in early 1995.

The proposed legislation contains a number of revisions to the Planning Act including changes to the scope and content of Municipal Official Plans. Through Bill 163, Section 16 of the Planning Act will be repealed and substituted with the following:

"An official plan shall contain the prescribed contents and,

- a) shall contain goals, objectives and policies established primarily to manage and direct physical change and the effects on the social, economic and natural environment of the municipality or part of it, or an area that is without municipal organization; and
- b) may contain a description of the measures and procedures proposed to attain the objectives of the plan and a description of the measures and procedures for informing and obtaining the views of the public in respect of a proposed amendment to the official plan or in respect of a proposed by-law."

In addition, Bill 163 introduces a comprehensive set of Provincial Policy Statements for which "a decision of the council of a municipality... shall be consistent with". This wording is much stronger than the current wording in the Planning Act, where municipal councils "shall have regard to Policy Statements". The new Policy Statements include the following:

- Natural Heritage, Environmental Protection and Hazard Policies
- Economic, Community Development and Infrastructure Policies
- Housing Policies
- Agricultural Land Policies
- Conservation Policies
- Mineral Aggregate, Mineral and Petroleum Resources Policies

Accordingly, the intent and direction of these Policy Statements will have to be incorporated within the policies and schedules (if applicable) of the Hamilton Official Plan. To assist in the implementation of Policy Statements, the Provincial Government issues "Implementation Guidelines" which provide greater clarification for municipalities. However, these Guidelines will be issued after the legislation receives Royal Assent and implementation of the Policy Statements will represent a major work component of the Official Plan Review.

1.3 New Planning Concepts

Municipal planning is not static nor is it a closed system; it is an evolution of concepts, ideas and implementation tools, subject to pressures from other sources. A number of new planning concepts have been identified in recent years. Some of the most notable include:

- the introduction of sustainable development, neo-traditional planning and healthy, liveable communities;
- a more proactive approach to environmental management;

- a focus on mixed use areas (residential/commercial/institutional) as an alternative to urban sprawl; and,
- recognition of quality-of-life by enhancing social, cultural, health and educational services in a community.

There have also been significant changes in the land market that will have to be reflected in the Official Plan. These changes include:

- the diminished viability of traditional strip retail commercial areas and the introduction of "big box" retail establishments, often in traditional industrial areas;
- a continuing decline in the demand for higher-density residential lands as a result of demographic changes and the curtailment of non-profit housing programs; and,
- economic rationalization within the industrial/manufacturing sector has created an increased number of vacant and/or underutilized industrial land parcels for which future use is not clear.

SECTION 2: THE NEW OFFICIAL PLAN

2.1 Introduction

The Official Plan Review will include a comprehensive analysis and evaluation of the concepts, approaches and policies contained in the existing Plan and will culminate with the creation of a new Official Plan. The review will involve input from a variety of sources including the public, business community, special interest groups, government agencies, departments and ministries. The primary staff allocation will be from the Local Planning Branch, Planning and Development Department. A description of the public participation process is contained in Section 4 of this report.

2.2 Phasing

The Official Plan Review will be divided into four distinct phases which are as follows:

Phase 1: Preliminary

- 1) An introductory Public Meeting will be held to solicit input from the public. At that time, written submissions will be requested and interested parties will be identified in accordance with the Planning Act requirements.
- 2) A Departmental Study Team and Inter-Departmental Technical Advisory Committee will be formed including staff from key departments and agencies (i.e., Traffic, Roads, Environmental Services, Regional Planning, Hamilton Region Conservation Authority, etc.).

- 3) Issues and areas of concern will be identified by staff, letters of submission, and from other Departments and agencies.
- 4) A survey of other municipalities who have developed new Official Plans will be undertaken to identify new policy directions, structure, content, etc.
- 5) The existing Schedules of the Official Plan will be "digitized" on computer to allow easier manipulation of designations.

Phase 2: Review of the Official Plan

- 1) Various Policy Papers (see 2.3) will be completed prior to the formation of new and/or revised Official Plan policy. Each project leader, in conjunction with the study team, will be responsible for developing a clear Terms of Reference for the particular subject area. The Policy Papers will: review existing Official Plan policies; identify new policy directions; and, outline possible future policy directions in the Official Plan. In addition, an overall "Vision" will be developed that will be included in the new Official Plan.
- 2) Public information meetings will be held and individual mailings sent out to release the results of the Policy Papers and to solicit input on findings and future policy directions.

Phase 3: Policy Formulation

- 1) With the information gathered during Phase 2, new policies will be developed and/or existing policies revised. There will be three classes of policy changes:

Fundamental Change - This will involve the introduction of new policy directions that were not contained in the existing Official Plan (e.g., sub-watershed planning, sustainable development principles, etc.) or the revamping of an existing policy;

Major Change - This will change will affect sections/subsections/clauses which are still relevant but require re-adjustments due to changing circumstances; and,

Minor Change - The policies will change marginally but the intent and direction of the policies are still valid.

Phase 4: Completion of the Plan

- 1) The "preliminary" Draft Official Plan will be formulated and will be discussed at Public Meetings and circulated to a wide variety of interest groups and agencies for comment.
- 2) Various submissions will be received and the Official Plan will be redrafted where appropriate.
- 3) The "final" version of the Draft Official Plan will be released and submitted to City Council for adoption.

2.3 Policy Papers

The length and complexity of each Policy Paper will depend on the nature of the issue. For example, housing issues were the subject of a comprehensive study in the early 1990's and little has changed to date; however, the commercial policy paper will be extensive because of the market changes that have occurred over the last 20 years. A brief description of the Policy Papers is noted below.

Industrial

Hamilton has been witness to the on-going transformation of traditional manufacturing in today's world. As manufacturing/industrial establishments continually search for lower cost environments, the intensity and demand for industrial lands has diminished. This market trend has important implications for land use planning as lands/buildings that were needed for industrial uses as recently as 20 years ago, are no longer economically viable for industry. Two key issues include redevelopment on vacant and/or underutilized industrial lands and flexibility for future land uses.

Commercial

In the 1990's, the nature of retailing/wholesaling has changed considerably with the introduction of retail warehousing (e.g., PriceCostco, Flooring Warehouse, etc.) as well as retailers moving away from traditional strip retail sites to larger sites (e.g., White Rose, Wal-Mart, Zellers, etc.). Such sites are more often found in industrial areas.

With the changing face of retailing, slow economic growth and shifting demographics, smaller stores have difficulty competing with the economies of scale afforded by the large retailers. This has created a number of vacant commercial buildings along traditional strip retail areas such as Barton Street, James Street, etc.

Housing/Residential

In 1992, Amendment No. 109 was approved, which established new and updated housing policies. The impetus behind the new housing direction was the introduction of the Provincial Policy Statement *Land Use Planning for Housing*. Although some refinement is likely required as a result of Bill 163, the thrust of the current housing policies appear to be reflective of current government policy and city trends.

Institutional

At the present time, there does not appear to be any serious concern with respect to institutional uses in the City or with institutional policies within the Official Plan. However, a more in-depth examination will be undertaken at the time of the study.

Mixed Use Corridors/Nodes

One of the new planning directions of the 1990's is to encourage the development of these areas where people live, shop and work. Consistent with this theme, the new Regional Official Plan is requiring municipalities to identify mixed use areas. These areas can either be residential in nature with some limited commercial permitted, or other areas where the primary use is commercial and there may be some opportunity for residential above stores, for example.

Open Space/Parkland

At the present time, the City is completing the Parks Master Plan, which will identify changes required to the Official Plan policies. In addition, the Region is undertaking the Regional Greenlands study, which identifies potential links between natural areas, public open space lands. The results of this study will lead to a discussion paper for the municipalities and the Conservation Authorities.

Environmental

Responsible environmental management is a world-wide focus in the 1990's. Locally, the Community Attitude Survey conducted in 1991 as part of the background work for the Hamilton Strategic Plan revealed a growing concern among Hamilton residents for environmental issues. These responses were echoed by the Task Force on Sustainable Development which developed a number of strategies to deal with environmental issues. The responses included: improving water and air quality, reducing waste, increasing the use of public transit, promoting and enhancing our natural corridors, etc.

The Province has also introduced the Wetlands Policy Statement which is to be included in Official Plans. The aim of the Policy Statement is to identify Provincially and Regionally significant wetlands and develop policies for their preservation and to minimize impacts from surrounding land uses.

As part of the Regional Official Plan Review, the Natural Areas Inventory was developed which identifies all Environmentally Significant Areas (ESA's) as well as Areas of Natural and Scientific Interest. These areas are to be included in the City's Official Plan.

Transportation/Infrastructure

At the present time, the Region is conducting a Regional Transportation Review, which is intended to develop a new "vision" for the Region. The new "vision" is based on the principles of Sustainable Development, including reduced dependence on automobiles, an increased public transit role, greater opportunities for cyclists and pedestrians and reduced impacts on the neighbourhoods and the environment. Recommendations will be forthcoming that would be examined for their applicability for inclusion in the Hamilton Official Plan. As well, the existing policies relating to infrastructure will be updated to reflect the current Regional infrastructure plan.

Heritage Resources

Following a seven year review and public consultation process, the proposed Heritage Act is expected to be introduced to the Ontario Legislature shortly, although no date has been set. The draft legislation indicates a consensus on the direction heritage conservation should proceed in the Province.

The new Heritage Act will extend the local conservation mandate in a number of ways:

- municipalities will be required to have heritage conservation policies;
- the mandate of LACAC's will be expanded to include living heritage and movable heritage property;
- municipal inventories will be included in the legislation and guidelines provided;
- municipal incentives for heritage conservation, such as deferral of payment of property taxes for listed or designated properties for a specific period or for the rebate of such taxes, will be included;
- municipalities will be able to request heritage impact assessments for proposals affecting listed properties (if statement is in the Official Plan);
- public authorities, including municipalities, will be required to give serious consideration to conservation of designated properties;
- designation of a Heritage District will require a Heritage Conservation Area plan;
- municipalities can enact interim controls for a conservation area under study;
- archaeological sites 100 years or older become automatically a "protected heritage site".

Urban Design

Urban or community design has always been an implicit part of the planning process and the Official Plan. This enables us to draw a picture of all the developable volumes for an entire city/community and thus show a probable city/community form. Land use regulations determine the general character and life or lifelessness of a public place such as a street. This area of focus will become increasingly important where redevelopment occurs because of the impacts on the existing built environment.

In response to the heightened public interest in the quality of urban/community life, the image of the city/community and design issues in general, it is becoming necessary to synthesize all the fragmented and often unrelated (and on occasion competing) urban/community design policies, guidelines and initiatives into one comprehensive urban/community design approach. This has to start with a separate Urban/Community Design Chapter in the Official Plan.

The elements of urban/community design include:

- form and mass of buildings (height, setbacks, specific design requirements)
- movement (cars, public transit, pedestrians, bicycles...all modes, conflict mitigation)
- streetscaping (facades, signage, hard and soft landscaping, street furniture)
- nightscaping (streetlighting, commercial and aesthetic use of light)

- comfort, safety and accessibility for all citizens (design for the disabled, seniors, special consideration for personal safety)
- climate (sun access and shadow casting, protection against elements of weather, designing for four seasons)
- public art (aesthetics of public places)
- views, sightlines, landmarks, important open spaces (guidelines for development, enhancement and protection).

Quality-of-Life

With a greater focus on our quality-of-life (health, education, leisure activities, social and cultural events), the Official Plan will include policies relating to these areas of interest. There are several policies within the Plan at the present time; however, as noted previously, Bill 163 will make the inclusion of these types of policies mandatory in municipal official plan documents.

SECTION 3: PUBLIC PARTICIPATION

3.1 Public Participation

During the Official Plan Review, input will be obtained from the "stakeholders" in the community (i.e., residents, business, special interest groups and community agencies) to provide both future direction on general land use management and reactions to the new Official Plan. Accordingly, public participation is key to a successful community-based land use plan.

It is important for the residents and the business community to be committed to the process. The public participation process must be meaningful but workable as well as cost effective!

3.2 Public Participation Process

A comprehensive mailing list of ratepayers groups, special interest groups, individuals, etc., who wish to participate will be established. It is also important to recognize that public participation should include getting the message to individuals who may be sight impaired or do not have an adequate grasp of the English language. In this regard, it is anticipated that summaries of the various Policy Papers will be reproduced in a format appropriate to these segments of the population. There will be three "phases" of public participation to coincide with the progression of the work associated with the Official Plan Review.

Phase 1: Preliminary

There are three components to the first phase of the public participation process:

- Undertake a telephone survey, similar to the Community Attitude Survey conducted for the Strategic Plan, to ascertain residents views on land use planning matters and how they see the focus of the City. The survey will also provide input for the creation of the Official Plan "Vision".
- Undertake a written survey for businesses with similar questions but the focus would be more toward their concerns in regard to land use planning. This could be done in conjunction with the Chamber of Commerce, either through their mailing list or they could assist in the distribution of the questionnaires.
- Inform the existing Sub-Committees of Hamilton City Council and interested parties of the Official Plan Review.

Phase 2: Review of the Official Plan

This is the most critical stage in the public participation process since the various Policy Papers will have been completed and broad policy direction established. As a starting point, a concise flyer/brochure or small newspaper can be distributed which summarizes the survey results, the policy directions of each of the Policy Papers and the public participation process. The brochure would go to all households, to the businesses and organizations through the Chamber of Commerce and those on the comprehensive mailing list. As well, the flyer/brochure will include request for written submissions.

Other elements of public participation within this phase include the following:

- Tapping into the existing Sub-Committees of City Council (e.g., LACAC, Urban Design, Barrier Free Design, etc.) for the ideas and opinions.
- Preparing 2-3 page summaries of each of the various Policy Papers on coloured paper to be available in strategic locations thorough the City (i.e., libraries, senior centres, recreation facilities, etc.).
- Preparing Official Plan Review displays to be put up in each of the libraries within the City and inviting comment.
- Holding one-day workshops on each of the Policy Papers.

Phase 3: Policy Formulation

Once the input has been received on policy direction, and the preliminary Draft Official Plan has been completed, a number of public participation actions will occur:

- A letter will be written to individuals on the comprehensive mailing list to indicate that the preliminary Draft Official Plan is complete and copies are available for review.

- Advertisements will be placed in both the Hamilton Spectator and the local Brabant newspapers indicating that the preliminary Draft Hamilton Official Plan is available for review and comment.
- Open Houses will be held in conjunction with Ward meetings to give local residents and business owners an overall view of the Plan and invite them to comment.

Once the submissions have been received from the public, other agencies, various departments and Provincial ministries, the preliminary Draft Official Plan will be revised and submitted to the Planning and Development Committee as a final Draft Official Plan. At this time, as required by the Planning Act, a formal Public Meeting will be held.

SECTION 4: STAFF RESOURCES AND TIMING OF REVIEW

4.1 Introduction

It is anticipated the Hamilton Official Plan Review will take approximately two and half years to complete. The detailed process and timing of the Official Plan Review are available under separate cover.

4.2 Project Co-ordinator/Internal Steering Committee

One person will be assigned as the Project Co-ordinator. The person will be responsible for managing and overseeing all aspects of the Official Plan Review. The Project Co-ordinator will be the head of the Internal Steering Committee which would consist of the Team leaders (1 for each policy paper, 1 public participation liaison officer and 1 person from the Technical and Cartographic Section). The intent of the Technical Steering Committee meetings is to keep the review on track, identify staffing and timing resources and ensure data collection is moving along well. It is anticipated the Steering Committee will meet on a monthly basis.

4.3 Technical Advisory Committee

This Committee will involve key people from other municipal departments, agencies and provincial ministries. The primary function is to review the work of the various teams, to ensure consistency with other department and agency mandates, as well as providing technical expertise when required.

4.4 Structure of Teams

Each team will be headed by a project leader. Once the project leader is chosen he or she will be responsible for outlining the scope and nature of issues. From there, he/she will develop a team consisting of staff from other municipal City and Regional departments, provincial and public agencies and any other persons which may be helpful to the team. At the outset, the team will be responsible for developing a comprehensive Terms of Reference. Within the Terms of Reference, it will be determined if the existing staff complements within various departments are adequate both from a time perspective as well as the level of expertise. If consultants are required, then Proposal Calls would be drawn up.

The Team leader will be responsible for reporting to the Project Co-ordinator at regular Intervals as to the progress of the Policy Paper. This person may or may not be from within the Planning and Development Department.

4.5 Public Participation Co-ordinator

Given the importance of the public participation component of the Official Plan Review, it would be appropriate for one person to be dedicated to this task throughout the whole exercise. The Co-ordinator would be responsible for implementing the questionnaires, working with the consultant on the survey, co-ordinating the displays with the Technical and Cartographic Section, dealing with the media, setting up meetings, etc. This person would be hired on a temporary basis for the extension of the Official Plan Review.

4.6 Staffing and Costs

The staffing complement of the Local Planning Branch of the Planning and Development Department would be comprised of the following:

Core Team:

Project Co-ordinator	325 days
Assistant Project Co-ordinator	360 days
Public Participation Co-ordinator	100 days

Additional Resources:

Planners	415 days
Division Head, Policy and Neighbourhood Planning	150 days
Director of Local Planning	10 days
Supervisor, Technical and Cartographic	50 days
Cartographic Technician	200 days

4.7 Additional Costs

There are additional costs associated with the cost of such a large project, over and above the salaries for temporary staff members. These costs include:

• Community Focus and Business Surveys	\$15,000
• Newspaper Brochure	\$20,000
• Displays	\$ 5,000
• Printing	\$20,000

Total costs for the Official Plan is projected to be \$250,000, of which \$100,000 can be financed through existing funding programs. At the present time, the request for \$150,000 (\$75,000 in 1995 and 1996) has been initiated through the Capital budget process.

4.8 Timing

The project is to be completed over a 2½ year time frame, commencing in January, 1995 and finished by September, 1997. It should be noted this timing does not include any possible ramifications from the numerous provincial guidelines (60) the City is expected to review, assess and incorporate as part of the implementation of Bill 163.

The Official Plan review process and the time frame charts are available on request. They are not reproduced as part of this report due to their size.

JHE/KE:jhe/ke

c:\opreview\outline

1995 January 31

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **THIRD** Report for 1995 and respectfully recommends:

1. That approval be given to the actions taken in forwarding the following recommendation to Regional Council for consideration:
 - (a) That the City Council agrees that the area to be included in all the events planned for May 8, 1995 for the WWII Veterans be widened to include the five surrounding municipalities of Hamilton-Wentworth; and,
 - (b) That this recommendation be forwarded to the Regional Council with a request that this matter be forwarded to the appropriate regional standing committee for discussion and recommendation to Regional Council.
2. That the listing of Appointments To and Terminations From Permanent Positions with the Corporation of the City of Hamilton to 1995 January 13, attached herewith and marked Appendix "A", be approved.
3. That the prelevy residential and non-residential mill rates for 1995 be established at figures slightly below 50% of the 1994 respective mill rates as follows:
 - (a)
 - (i) That a real property tax prelevy mill rate of 200 mills be established for 1995 to be billed in two instalments of 100.0 mills each, payable 1995 February 28 and March 31. This prelevy rate represents 49.827% of the 1994 residential mill rate; and,
 - (ii) That a business tax prelevy mill rate of 236 mills be established for 1995 to be billed in one instalment, payable 1995 February 28. This prelevy rate represents 49.976% of the 1994 non-residential mill rate; and,
 - (b) That a non-metered water and sewer surcharge prelevy, be established on behalf of the Regional Municipality of Hamilton Wentworth, based on approximately 50% of the 1994 charge, to be billed in two equal instalments, payable 1995 February 28 and March 31.

1995 January 31

4. (a) That the City be authorized to temporarily borrow monies to meet current budget expenditures for 1995 pending receipt of current revenues; and,
 (b) That the appropriate borrowing by-law be approved.
5. (a) That the City be authorized to enter into Extension Agreements, if required, in a form satisfactory to the City Solicitor and the City Treasurer pursuant to Section 8 of the Municipal Tax Sales Act, with the owners of the following properties to extend the time open for payment of realty tax arrears in accordance with the policy for extension agreements approved by City Council on 1994 June 28:

156 Birchcliffe Cres.	31 Fairholt North
66 Edgewood	144 MacNab North

 (b) That the Mayor and City Clerk be authorized to execute the aforesaid by-law and extension agreements.
6. That J. G. Pavelka, P. Eng., be recognized as the General Chairman for the 1996 Canadian Public Works Bi-Annual Conference and Exposition to be hosted in Hamilton, Ontario.
7. (a) That the City Clerk be authorized to remit payment to the Association of Municipalities of Ontario in the amount of \$13,161.52 for the City of Hamilton's 1995 Membership fee; and,
 (b) That this cost be financed from Account No. CH56011-10032 - Memberships.
8. That the Chairperson or his designate be authorized to attend a Two-Day Conference entitled "Reengineering Government" to be held on 1995 March 28 and 29 in Ottawa.
9. That funds be allocated from the Reserve for Replacement of Mobile Equipment, account Centre No. CH 00101, for the replacement of vehicles as summarized below:

<u>Section</u>	<u>No. of Vehicles</u>	<u>Estimated Amount</u>
City Garage Pool	39	\$ 722,000.
Parking Authority	2	55,000.
Public Works - Vehicles	26	
- Miscellaneous Equipment	<u>17</u>	<u>1,884,500.</u>
Total	<u>84</u>	<u>\$2,661,500.</u>

1995 January 31

10. That a purchase order be issued to Sheridan Equipment, Mississauga, in the amount of \$189,261.25, all applicable taxes included, for the purchase of One (1) 3 1/2 Cubic Yard Articulating Wheel Loader for Fleet Services, being the lowest of seven tenders received in accordance with specifications issued by Purchasing and Vendor's tender, and be financed through the Reserve for Mobile Equipment Account No. CH5X503 00101.
11.
 - (a) That the 1995 General Grant Applications be processed in a manner consistent with the 1994 General Grant applications which includes consideration of written presentations only from the grant applicants by the Committee of the Whole; and,
 - (b) That a Committee of the Whole consider the 1995 General Grant requests at a meeting on 1995 March 23; and,
 - (c) That all 1995 General Grant applicants be advised of this process.
12.
 - (a) That the City Treasurer be authorized to process additional Property Department-Architectural Division capitalization charges, resulting from time spent on the Hamilton Tennis Club project by the Architectural Division staff for their involvement in: retaining a second contractor; filing a claim against the bonding company of the original contractor; and responding to claims by both the consultant architect and the original contractor, to account number CF 5251 709141006 as follows:
 - (i) In the amount of \$18,109.53 for the quarter ending 1994 September 30; and,
 - (ii) For an estimated amount of \$8,100. for the quarter ending 1994 December 31; and,
 - (iii) For an undetermined amount for the period beginning 1995 January 1, until the final resolution/accounting of all outstanding legal issues or until completion of the project warranty period, whichever occurs later; and,
 - (b) That the capitalization charge amounts indicated in (a) (iii) above be reported to the Capital Budget Sub-Committee by the Property Department on a quarterly basis; and,
 - (c) That the City Treasurer be requested to recommend the appropriate method of financing for the charges indicated in (a) above.

1995 January 31

13. (a) That an estimated amount of \$26,209.53 for Architectural Division staff time for the period 1994 July 1, to 1994 December 31, as outlined in the letter of 1994 December 21 from D.W. Vyce, Director of Property be charged to Account Centre No. CF 709141006; and,
- (b) That the original gross cost of the project - Replace Hamilton Tennis Building Account Centre No. CF 709141006 be revised by \$34,180. from \$604,280. to \$638,460. to accommodate the above charges along with an overdraft of \$7,963.08 as of 1994 November 30, and \$34,180. be financed from the Reserve for Capital Projects Account Centre No. CH 00203; and,
- (c) That an undetermined amount for the period beginning 1995 January 1 until the final resolution be charged to the Property Department's Architectural Division's current budget.
14. That leave be granted to introduce the following Bills:
- (a) D-9 A By-law to Amend By-law No. 94-095 regarding 1994 Debenture Projects and Amounts.
- (b) D-10 A By-law to Authorize the Temporary borrowing of Monies to meet Current Expenditures pending receipt of Current Revenues.
- (c) D-11 A By-law to Authorize an Extension Agreement for Payment of Realty Tax Arrears.
- (d) D-12 A By-Law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

Respectfully Submitted,

**ALDERMAN B. CHARTERS, CHAIRPERSON
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan K. Reeder
Secretary
1995 January 24**

Appendix "A" referred
to in Section 2 of the
THIRD Report of the
Finance and Administration
Committee for 1995.

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. Everett Brown	I	Foreman II (F-1)	Public Works	Replacing Mr. J. McShane - promoted, March 14/94 Mr. D. Duncan - retired Dec. 31/94	\$38,074.40 to \$43,763.20	Sept. 30/94
Mr. Charlie Gibbs	I	Superintendent, Streets & Sanitation (I)	Public Works	Replacing Mr. D. Duncan - retired Dec. 31/94	\$56,217.72 to \$66,242.28	Nov. 01/94
Mr. Stan Weir	I	Dispatcher (12-H)	Client's	Replacing Mr. R. Dawson - retired Dec. 31/94	\$33,176.00 to \$36,308.48	Jan. 02/95

Prepared January 13/95

Station	
Internal	- I
External	- E

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Mr. Gerry Forbes	Traffic Operations Engineer	Traffic	Terminated	5 years, 5 months	Dec. 30/94
Mr. Sam Licata	Labourer (Cemeteries)	Public Works	Deceased	15 years, 8 months	Dec. 29/94

Prepared January 13/94

Glossary of Terms

Terminated - long term disability
 - discharge
 - downsizing
 - redundant

Resigned - personal betterment
 - personal reasons

**MEETING OF THE COUNCIL
OF THE CORPORATION OF THE CITY OF HAMILTON**

**TUESDAY, 1995 JANUARY 31
7:30 O'CLOCK P.M.
COUNCIL CHAMBER, CITY HALL**

B I L L S

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 95-

**TO ALTER FERGUSON AVENUE NORTH BETWEEN CANNON STREET EAST
AND BARTON STREET EAST BY NARROWING THE PAVEMENT**

WHEREAS the Council of the Corporation of the City of Hamilton is empowered under Section 297 of The Municipal Act, Revised Statutes of Ontario, 1990, Chapter M.45, and amendments thereto, to establish and layout, widen, alter, divert, stop-up, lease, close or sell any highway or part of a highway;

AND WHEREAS the portion of highway known as Ferguson Avenue North is a local road under the jurisdiction of The Corporation of the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Item 60 of the 1st Report of the Transport and Environment Committee on December 13, 1994, authorized that steps be taken in accordance with the Municipal Act to advertise Notice of the City's intention to alter Ferguson Avenue North as hereinafter described;

AND WHEREAS Notice of the City's intention to pass this By-law to authorize the said alteration has been published as required by Section 300 of the Municipal Act for four (4) consecutive weeks in The Spectator, a newspaper having general circulation of the City of Hamilton:

AND WHEREAS the Council of The Corporation of the City of Hamilton, through its Transport and Environment Committee, has heard all persons who applied to be heard no matter whether in objection to or in support of this By-law;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. That the alterations be approved and carried out to Ferguson Avenue North between Cannon Street East and Barton Street East, for the purpose of narrowing the travelled portion of the said street from the existing width of 19.5m to a width varying from 8.5m to 11.0m, as illustrated in Schedule "A" attached hereto.
2. That the Mayor and City Clerk are hereby authorized to execute, on behalf of The Corporation of the City of Hamilton, all contracts necessary for the construction of the said works.

PASSED this day of , 1995.

CITY CLERK

MAYOR

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 95-

**TO INCORPORATE CITY LAND
DESIGNATED AS BLOCK 51 ON PLAN 62M-652 & BLOCK 34 ON PLAN 62M-745
INTO EMBASSY DRIVE**

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Embassy Drive by incorporating within its limits the lands described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Embassy Drive.

Firstly:

All of Block 51, Plan 62M-652.

Secondly:

All of Block 34, Plan 62M-745.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation/Environmental Services or his duly authorized agent is hereby authorized to open as public highway the said lands.

3. This by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this

day of

A.D. 1995

City Clerk

Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 95-

**TO INCORPORATE CITY LAND
DESIGNATED AS BLOCK 9 ON PLAN 62M-763
INTO ARTISTIC BOULEVARD**

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Artistic Boulevard by incorporating within its limits the lands described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Artistic Boulevard.

All of Block 9, Plan 62M-763

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation/Environmental Services or his duly authorized agent is hereby authorized to open as public highway the said lands.

3. This by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this

day of

A.D. 1995

City Clerk

Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 95-

**TO INCORPORATE CITY LAND
DESIGNATED AS PARTS 3 & 4, PLAN 62R-12671
BEING PART OF BLOCK 30, PLAN 62M-710
INTO APPLEBLOSSOM DRIVE**

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Appleblossom Drive by incorporating within its limits the lands described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Appleblossom Drive.

Part of Block 30, Plan 62M-710, designated as Parts 3 and 4, Plan 62R-12671.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation/Environmental Services or his duly authorized agent is hereby authorized to open as public highway the said lands.

3. This by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this

day of

A.D. 1995

City Clerk

Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 95-

**TO INCORPORATE CITY LAND
DESIGNATED AS PARTS 1 & 5, PLAN 62R-9687 AND PART 1, PLAN 62R-9651
INTO DARTNALL ROAD**

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Dartnall Road by incorporating within its limits the lands described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-Law 91-20 is hereby repealed.

2. The following lands are hereby established and laid out as a public highway to form part of Dartnall Road.

Part of Lot 14, Concession 1, designated as Parts 1 and 5, Plan 62R-9687; and Part of Lot 15, Concession 1, designated as Part 1, on Plan 62R-9651, formerly in the township of Glanford.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

3. The Commissioner of Transportation/Environmental Services or his duly authorized agent is hereby authorized to open as public highway the said lands.

4. This by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this

day of

A.D. 1995

City Clerk

Mayor

BY-LAW NO. 95 -

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 26 (No Parking Areas)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following items, namely:-

*Rexford	North & East	from a point 94 feet east of the east curb line of Rexford to a point 108 feet north of the north curb line of Rexford	Anytime	
Independence	East	from a point 104 feet north of Adler to a point 38 feet northerly therefrom	Anytime	Mon - Fri
Highridge	North & West	from the north to west property lines of No. 238 Highridge	Anytime	
Carling	North	from a point 153 feet east of Paradise to a point 93 feet easterly therefrom	8:00 am - 5:30 pm	Mon - Fri
Chedmac	Both	Rice to the northerly end	Anytime	
Berkindale	West	Bellamy to Rox		
Hughson	East	from a point 53 feet south of Murray to a point 21 feet southerly therefrom	8:00 am - 5:00 pm	Mon - Fri
Kings Forest	West	Nova to 68 feet north	Anytime".	

and by deleting therefrom the following items, namely:-

*Ray	East	Main to 75 ft. north	Anytime	
Carling	North	commencing at a point 153 feet east of Paradise to a point 113 feet easterly therefrom	8:00 am - 5:30 pm	Mon - Fri
Kings Forest	West	Nova to 88 feet north	Anytime	
Oak	East	Barton to a point 161 feet southerly therefrom	Anytime	
Berkindale	West	Rox to northerly limit of Roxborough	Anytime".	

2. **Schedule 34 (Sticker Permit Parking)** is hereby amended by deleting therefrom the following items, namely:-

*Paling	East	commencing at a point 93 feet north of Vansitmart to a point 22 feet northerly therefrom	Anytime	
Alkman	South	commencing at a point 180 feet east of Wentworth to a point 31 feet easterly therefrom	Anytime".	

and by adding thereto the following items, namely:-

"Ray	East	commencing at a point 68 feet north of Main to George	Anytime
Mars	South	commencing at a point 168 feet east of Douglas to a point 19 feet easterly therefrom	Anytime
Paling	West	commencing at a point 601 feet south of Barton to a point 28 feet southerly therefrom	Anytime
Paling	East	commencing at a point 630 feet south of Barton to a point 20 feet southerly therefrom	Anytime
Cumberland	South	commencing at a point 145 feet west of the west curb line of Norway to a point 21 feet westerly therefrom	Anytime
Caroline	West	commencing at a point 60 feet north of the south end of the street to a point 20 feet northerly therefrom	Anytime
Burton	South	Cheever to Douglas	Anytime".

3. **Schedule 27 (Alternate Side Parking)** is hereby amended by adding thereto the following item, namely:-

"Leona	West	East".
Rainbow to south end		

4. **Schedule 24 (Parking Meter Locations)** is hereby amended by deleting from Section 3(a) (One Hour Limit) the following item, namely:-

"Oak	West	Barton to 85 ft. south".
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5. **Schedule 25 (Parking Time Limits)** is hereby amended by deleting therefrom the following items, namely:-

"Aurora	West	commencing at a point 59 feet north of Charton to a point 20 feet northerly	30 min	8 am - 8 am	Mon - Sun
				(24 hrs)	
East 27th	West	from a point 136 feet south of Fennell to the extended south curb line of Mackenzie	1 hr	8 am - 6 pm	Mon - Sun
Ray	East	Main to George	2 hr	8 am - 6 pm	Mon - Sat
Burton	North	Cheever to Emerald	3 hr	8 am - 6 pm	Mon - Sat
Burton	Both	Emerald to Victoria	1 hr	8 am - 8 pm	Mon - Sat
Burton	North	Wentworth to Emerald	3 hr	8 am - 6 pm	Mon - Sat

(Schedule 25 - Parking Time Limits - Cont'd)

and by adding thereto the following item, namely:-

"East 27th	West	from a point 136 feet south of Fennell to the south curb line of Mackenzie	3 hr	8 am - 4 pm	Mon - Fri
Burton	South	Emerald to Douglas	3 hr	8 am - 6 pm	Mon - Sat".

6. **Schedule 23 (Hamilton Street Railway)** is hereby amended by adding to the INBOUND COLUMN the following items, namely:-

"Eva (E/S) 21 feet south of Eaglewood
Limeridge (S/S) 276 feet west of the west curb
line of Rockingham (M/B)
Cannon (N/S) 75 feet east of Balsam (N/S)".

and by deleting from the INBOUND COLUMN the following items, namely:-

"Eaglewood, north side, 33 feet east of the
east curb line of Eleanor, N/S
Limeridge at #508 (MB)
Cannon at Balsam".

PASSED this

day of

A.D. 1995.

CITY CLERK

MAYOR

BY-LAW NO. 95 -

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 10 (Stops at Intersections)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following items, namely:-

"Rowntree	Eastbound and Westbound	Rushdale/Rowntree
Caroga	Northbound and Southbound	Morgan
Kings Forest	Southbound	Nova".

and by deleting thereto the following item, namely:-

"St. Andrew's	Northbound and Southbound	Fairway".
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2. **Schedule 29 (No Stopping Areas)** is hereby amended by adding thereto the following item, namely:-

"Ray	East	Main to 68 feet north	Anytime".
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3. **Schedule 35 (Wheelchair Loading Zones)** is hereby amended by adding thereto the following items, namely:-

"Dunsmure	South	26 feet	25 feet east of St. Clair	7:00 am - 9:00 pm
Dorval	South	38 feet	30 feet west of Upper Sherman	10:00 am - 8:00 pm Sundays".

and by deleting thereto the following items, namely:-

"East 23rd	West	26 feet	250 feet south of Concession	9:00 am - 11:00 pm
Cheever	West	20 feet	245 feet south of Birge	8:00 am - 12 mid".

4. **Schedule 31 (School Bus Loading Zones)** is hereby amended by adding thereto the following items, namely:-

"Bonaparte	South	80 feet	124 feet east of the east curb line of Brigade	7:00 am - 6:00 pm Monday to Saturday
Bonaparte	South	31 feet	111 feet east of the east curb line of Corsica	7:00 am - 6:00 pm Monday to Saturday".

5. **Schedule 28 (Taxi Stands)** is hereby amended by adding thereto the following items, namely:-

"East 19th	West	50 feet	176 feet south of Concession	7:00 am - 6:00 pm Monday to Friday
Magnolia	East	20 feet	52 feet north of the north curb line of Leclaire	7:00 am - 6:00 pm Monday to Saturday".

PASSED this

day of

A.D. 1995.

CITY CLERK

MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 95-

To Amend:

Zoning By-law No. 6593
as Amended by Zoning By-laws No. 83-192 and 94-008

Respecting:

LAND LOCATED AT MUNICIPAL NO. 303 YORK BOULEVARD

WHEREAS it is intended to establish a special requirement under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 83-192 on the 29th day of June 1983 to establish special requirements under Section 19B of Zoning By-law No. 6593 for the "H" District, in respect of the above-captioned land, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A", which by-law was approved by the Ontario Municipal Board by Order dated the 15th day of November 1983, (File No. R 831250);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 94-008 on the 25th day of January 1994 to establish a special requirement under Section 19B of Zoning By-law No. 6593, for the "H" District, in respect of the above-captioned land, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A", which by-law was approved by the Ontario Municipal Board by Order dated the 3rd day of May, 1994, for a one year period, (File No. R 940088);

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 2 of the 16th Report of the Planning and Development Committee at its meeting held on the 8th day of November 1994, recommended that Zoning By-law No. 6593, as amended by By-laws No. 83-192 and 94-008, be further amended as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "H" (Community Shopping and Commercial, etc.) District provisions contained in Section 14 of Zoning By-law No. 6593, as amended by By-laws No. 83-192 and 94-008 applicable to the subject lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are further modified to the extent only of the following special requirement that:

- (a) notwithstanding Section 14(1) of By-law No. 6593, a billiard room shall be permitted only on the second floor of the existing building.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "H" District provisions, subject to the special requirements referred to in section 7 of By-law No. 76-233, as amended by By-laws No. 77-46, 80-08, and 80-09 (S-481), section 1 of By-law No. 81-108 (S-745), section 1 of By-law No. 83-192 and section 1 of this by-law.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-831b.

4. Sheet No. W-12 of the District Maps is amended by marking the lands referred to in section 1 of By-law No. 83-192 and section 1 of this by-law, S-831b.

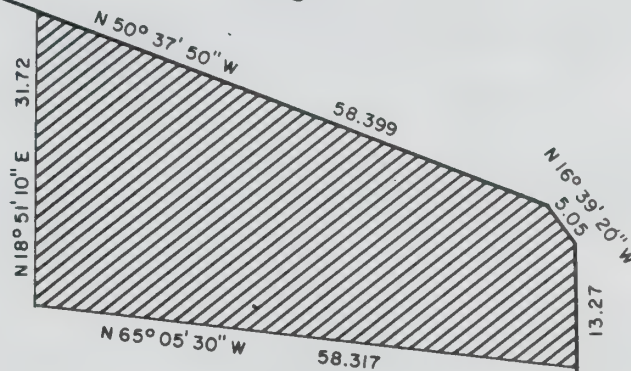
5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this day of A.D. 1995

CITY CLERK

MAYOR

YORK BOULEVARD



QUEEN STREET NORTH

NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 9
Passed the day of, 199 .

.....
Clerk

.....
Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 9
to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend



Lands to be regulated by
By-Law No. 9

North



Scale
Not to Scale

Date
NOVEMBER 1994

Reference File No.
ZAR-94-25

Drawn By
Z.K.

The Corporation of the City of Hamilton

BY-LAW NO. 95-

To Amend:

Zoning By-law No. 6593
As Amended by Zoning By-law No. 95-02

Respecting:

**AINSLIE WOOD NEIGHBOURHOOD,
AINSLIE WOOD EAST NEIGHBOURHOOD,
AINSLIE WOOD NORTH NEIGHBOURHOOD,
and AINSIE WOOD WEST NEIGHBOURHOOD**

WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Item 1 of the 1st Report of the Planning and Development Committee on December 9, 1994, recommended the preparation of a by-law which included a cellar in the gross floor area of the building;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 95-02 on the 9th day of December, 1994 to establish special requirements under Section 19B of Zoning By-law No. 6593 for the "C" District, in respect of the above captioned land, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A", but did not include a cellar in the gross floor area of the building in order that there would be continuity between Zoning By-law No. 6593 and the subject by-law;

AND WHEREAS upon further consideration by the Planning and Building Departments it was agreed that the exemption of a cellar from the gross floor area should be eliminated and a cellar included in the gross floor area in accordance with City Council's resolution;

AND WHEREAS it is expedient to clarify the method of calculating gross floor area;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Section 1.(c) and 1.(d) of By-law No. 95-02 are hereby repealed and the following substituted therefor:

"(c) notwithstanding Section 2.(2)J.(viii) of Zoning By-law No. 6593, gross floor area is the aggregate of the areas of the building or structure, including the basement or cellar, but shall not include:

- a) an attached garage;
 - b) a detached garage; and,
 - c) the floor area occupied by heating, air conditioning and laundry equipment;
- (d) for purposes of determining gross floor area for any portion of the dwelling where the ceiling height exceeds 4.6 metres, that portion of the dwelling shall be multiplied by 1.9."

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "C" District provisions, subject to the special requirements referred to in section 1 of By-law No. 95-02 and section 1 of this by-law.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1335a.

4. Sheets No. W-33, W-34, W-40 to W-42 inclusive, W-44 to W-48 inclusive, and W-50 to W-52 inclusive of the District Maps are amended by marking the lands referred to in section 1 of By-law No. 95-02, S-1335a.

5. In all other respects, By-law No. 95-02 is hereby confirmed, unchanged.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this

day of

A.D. 1995

CITY CLERK

MAYOR

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 95 -

To Authorize the Temporary Borrowing of Monies to Meet Current Expenditures Pending Receipt of Current Revenues.

WHEREAS section 187(1) of the Municipal Act, R.S.O. 1990, as amended, provides as follows:

"A council may by by-law either before or after the passing of the by-law for imposing the rates for the current year authorize the head and treasurer to borrow from time to time by way of promissory note or banker's acceptance such sums as the council considers necessary to meet, until the taxes are collected and other revenues are received, the current expenditures of the corporation for the year, including the amounts required for sinking fund, principal and interest falling due within the year upon any debt of the corporation, school purposes, special rates purposes, and for any board, commission or body and other purposes for which the corporation is required by law to provide";

AND WHEREAS Section 187 (2) of the said Act, as amended by the Municipal Statute Law Amendment Act, S.O. 1992, c. 15 provides as follows:

"The amount that may be borrowed at any one time for the purposes mentioned in subsection (1), together with the total of any similar borrowings that have not been repaid, shall not, except with the approval of the Ontario Municipal Board, exceed from January 1st to September 30th of the year, 50 percent of the total, and from October 1st to December 31st, 25% of the total of the estimated revenues of the corporation as set forth in the estimates adopted for the year";

AND WHEREAS the Council of the Corporation of the City of Hamilton (hereinafter called the "Municipality") in adopting Item of the Report of the Finance and Administration Committee on January 1995 authorized the temporary borrowing of monies to meet current budget expenditures for the year 1995 pending receipt of current revenues;

NOW THEREFORE the Council of The Corporation of the City of Hamilton hereby enacts as follows:

1. (1) The Mayor and Treasurer are hereby authorized on behalf of the Corporation of the City of Hamilton to borrow from time to time by way of promissory note from the **CANADIAN IMPERIAL BANK OF COMMERCE** a sum or sums of monies not exceeding at any one time the amounts specified in subsection (2) to pay off temporary bank overdrafts for the current expenditures of the Corporation for the year 1995, and to give to the Bank on behalf of the Corporation a promissory note or notes, sealed with the Corporate Seal and signed by the Mayor and Treasurer, for the monies so borrowed, together with interest at such rate as may be agreed upon from time to time with the Bank.
- (2) The amount of monies that may be borrowed at any one time for the purposes of subsection (1), together with the total of any similar borrowings that have not been repaid, shall not, except with the approval of the Ontario Municipal Board, exceed from January 1st to September 30th of the year, 50 percent of the total, and from October 1st to December 31st, 25% of the total of the estimated revenues of the corporation as set forth in the estimates adopted for the year.

2. (1) Until estimates of revenue of the Corporation for the 1995 year are adopted, borrowing shall be limited to the estimated revenues of the Corporation as set forth in the estimates adopted for the next preceding year.

(2) The total estimated revenues of the Corporation, including the amounts levied for Region and Education purposes, adopted for the year 1994 are Five Hundred and Six Million, Ninety Six Thousand, Seven Hundred and Eighty Dollars (\$506,096,780.00).
3. All sums borrowed pursuant to the authority of this by-law, together with any and all similar borrowings in the current year and in previous years that have not been repaid shall, together with interest thereon, be a charge upon the whole of the revenues of the Corporation for the current year and for all preceding years, as and when such revenues are collected or received.
4. The Treasurer shall, and is hereby authorized and directed to, apply in payment of all sums borrowed pursuant to this by-law, together with interest thereon, all of the monies thereafter collected or received for the current and preceding years, either on account or realized in respect of taxes levied for the current year and preceding years or from any other sources which may lawfully be applied for such purpose.
5. By-law 93-266 is repealed.
6. This by-law shall come into force and effect on the 1st day of January, 1995, and shall remain in force and effect until December 31, 1995.

PASSED this day of January A.D. 1995

City Clerk

Mayor

(1995) R.F.A.C. , January

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 98-

TO AUTHORIZE AN EXTENSION AGREEMENT
FOR PAYMENT OF REALTY TAX ARREARS

WHEREAS the Municipal Tax Sales Act, R.S.O. 1990, c. M.60, (hereinafter referred to as the "Act"), states that the Council of a municipality may, by by-law, authorize an Extension Agreement with the owner of land in arrears of realty taxes in excess of three (3) years after the registration of a Tax Arrears Certificate and before the expiry of the one year redemption period;

AND WHEREAS the Municipal Tax Sales Act (section 8) states that the said Extension Agreement may extend the period of time, upon the terms specified therein, within which the Cancellation Price is to be paid;

AND WHEREAS, pursuant to the Municipal Tax Sales Act, the Treasurer did register a Tax Arrears Certificate indicating arrears of realty taxes in excess of three (3) years on the lands described in Schedule "A" annexed hereto,

AND WHEREAS the said land is recorded by The Corporation of the City of Hamilton under the specific Tax Roll Serial Nos. indicated in Schedule "A" annexed hereto.

AND WHEREAS, The Owners of the lands described in Schedule "A" have requested that the City exercise its discretion to pass a bylaw to authorize an Extension Agreement to extend the period of time in which the Cancellation Price may be paid.

AND WHEREAS the one year period within which this by-law may be enacted will therefore expire on the days described as the redemption date on Schedule "A" attached hereto.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1.
 - (a) The time open for acceptance and the permitted payments of the Cancellation Price beyond the expiry of the said one year redemption period as set out in Schedule "A" are hereby authorized to be extended pursuant to an Extension Agreement.
 - (b) The owner of the land described in Schedule "A" may, on or before the redemption date, enter into the Extension Agreement with The Corporation of the City of Hamilton, and the Mayor and City Clerk are hereby authorized to execute the Extension Agreement on behalf of the City.
2. As provided in the Municipal Tax Sales Act, notwithstanding any other provision of this Extension Agreement, it is understood and agreed that while the Extension Agreement remains a subsisting agreement in good standing:

(a) that the Extension Agreement does not reduce the amount of the Cancellation Price.

(b) that the Extension Agreement does not prohibit any person from paying the Cancellation Price at any time.

(c) that any person may pay the Cancellation Price at any time.

(d) that the Extension Agreement terminates upon payment of the Cancellation Price by any person.

(e) that the Extension Agreement shall cease to be considered a subsisting Extension Agreement for purposes of section 9(2) of the Act, when and under what conditions set out in the Extension Agreement.

3. As also provided in the Municipal Tax Sales Act,

(a) while such Extension Agreement is in good standing, the period of such time shall not be counted in calculating the time within which the Cancellation Price may be paid.

(b) upon default by owner in complying with the Extension Agreement or any term thereof, the Extension Agreement shall cease and, (unless there remains time within which the Cancellation Price may be paid and is paid), the land shall be offered for sale by the Treasurer.

PASSED this

day of

A.D., 1995,

CITY CLERK

MAYOR

SCHEDULE "A"
EXTENSION AGREEMENTS

A)	PROPERTY ADDRESS	156 BIRCHCLIFFE CRES.
	SERIAL NUMBER	06 05930 1209
	BRIEF LEGAL DESCRIPTION	PLAN M93 LOT 117
	DATE OF REGISTRATION	SEPTEMBER 29, 1994
	INST # OF TAX ARREARS CERTIFICATE	LT371900
	REDEMPTION DATE	SEPTEMBER 29, 1995
	TOTAL ARREARS	\$13,136.01
B)	PROPERTY ADDRESS	31 FAIRHOLT NORTH
	SERIAL NUMBER	03 02615 3300
	BRIEF LEGAL DESCRIPTION	PLAN 300 L RESERVE
	DATE OF REGISTRATION	OCTOBER 20, 1994
	INST # OF TAX ARREARS CERTIFICATE	VM196628
	REDEMPTION DATE	OCTOBER 20, 1995
	TOTAL ARREARS	\$9,378.95
C)	PROPERTY ADDRESS	66 EDGEWOOD
	SERIAL NUMBER	06 05520 1650
	BRIEF LEGAL DESCRIPTION	PLAN 1353 LOT 39
	DATE OF REGISTRATION	DECEMBER 13, 1994
	INST # OF TAX ARREARS CERTIFICATE	VM200899
	REDEMPTION DATE	DECEMBER 13, 1995
	TOTAL ARREARS	\$15,682.36
D)	PROPERTY ADDRESS	144 MACNAB N
	SERIAL NUMBER	02 01265 2740
	BRIEF LEGAL DESCRIPTION	PLAN 39 BLK 7 PT LOT 13
	DATE OF REGISTRATION	DECEMBER 14, 1994
	INST # OF TAX ARREARS CERTIFICATE	VM200963
	REDEMPTION DATE	DECEMBER 14, 1995
	TOTAL ARREARS	\$4,551.91

BY-LAW NO. 95 -

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF
THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 31ST DAY OF
JANUARY A.D., 1995.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 31st day of January A.D. 1995

CITY CLERK

MAYOR



**MEETING OF THE COUNCIL
OF THE CORPORATION OF THE CITY OF HAMILTON**

**Tuesday, 1995 February 14
7:30 o'clock p.m.
Council Chambers, City Hall**

**J. J. Schatz
City Clerk**

A G E N D A

- 1. National Anthem sung by Meaghan Curran**
- 2. Opening Prayer:**

Pastor Jacques Fortin
Notre Dame Perpetual Secours Church
- 3. Adoption of the minutes from the meeting held 1995 January 31.**
- 4. Correspondence.**
- 5. Reports of the Standing Committees:**
 - (a) Transport and Environment Committee
 - (c) Planning and Development Committee
 - (d) Finance and Administration Committee
 - (e) City of Hamilton Licensing Committee
- 6. Notices of Motion from last meeting.**
 - (a) Alderman V. J. Agro Re: Annexation
 - (b) Alderman H. Merling Re: Planning Services
- 7. Notices of Motion for next meeting.**
- 8. First Reading of the Bills.**
- 9. Second Reading of the Bills - Committee of the Whole.**
- 10. Third Reading of the Bills.**
- 11. Question Period.**
- 12. Adjournment.**

MINUTES

1995 January 31

Minutes of Hamilton City Council
Tuesday, 1995 January 31
7:30 o'clock p.m.
Council Chamber, City Hall

The Council met:

Present: Mayor R. M. Morrow
Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson,
Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross.

Mayor R. M. Morrow called the meeting to order.

* * * * *

The National Anthem was played.

* * * * *

Reverend Canon Desmond Fleming, St. Stephen on the Mount led Council in prayer.

PRESENTATIONS

A Certificate of Recognition was presented to Nick Eveley, President and Dawn Fell, Controller of Eveley Alignment and Spring Service Ltd. in recognition of the Company's contribution to the City of Hamilton.

Mr. Robert Rekiel, President of Walleye Game Productions Inc. presented Mayor R. Morrow with a "Great Walleye Tournament Board Game".

PROCLAMATION

Mayor R. Morrow proclaimed the week of February 5th to 11th, 1995 as "White Cane Week" in the City of Hamilton.

ADOPTION OF MINUTES

The minutes of the meeting held 1995 January 10 were adopted as circulated.

PETITION/CORRESPONDENCE

1. Petition dated 1994 December 13 Re: Violence Against Women.

Referred to the Police Services Board.

2. Application dated 1995 January 12 from Chambers Group, Hamilton, Ontario for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, for lands located at the rear of Nos. 1170-1180 Upper James Street, Hamilton, Ontario.

Received.

3. Application dated 1995 January 18 from Imperial Oil Limited c/o Greg Ford, North York, Ontario for a modification to the established "H" (Community Shopping and Commercial, etc.) District regulations, for Block "1", and for a change in zoning from "C" (Urban Protected Residential, etc.) District to "H" (Community Shopping and Commercial, etc.) District, modified, for Block "2" for lands located at No. 1445 Main Street West, Hamilton, Ontario.

Received.

4. Application dated 1995 January 20 from B.Y.M. Construction Limited (668674 Ontario Limited) and Bergamot Holdings Limited, Hamilton, Ontario for a further modification to the established "G" (Neighbourhood Shopping Centre, etc.) District regulations, for lands located at No. 969 Upper Ottawa Street, Hamilton, Ontario.

Received.

5. Application dated 1995 January 25 from Gus and Mike Holdings Ltd., Hamilton, Ontario for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for lands located west of West Fifth Street between the proposed Red Hill Creek Expressway and Chester Avenue, Hamilton, Ontario.

Received.

6. Letter dated 1995 January 11 from J. J. Schatz, City Clerk Re: Objections to By-law No. 95-02 respecting property at Ainslie Wood Neighbourhood, Ainslie Wood East Neighbourhood, Ainslie Wood North Neighbourhood and Ainslie Wood West Neighbourhood.

Received.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, and the Nominating Committee be considered in Committee of the Whole with Alderman Eisenberger in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0.

CARRIED.

TRANSPORT AND ENVIRONMENT COMMITTEE - SECOND REPORT
--

Section 16 Re: No Parking Regulation - Chedmac Drive and Rice Avenue

It was moved by Alderman Anderson and seconded by Alderman D'Amico that Section 16 of the Second Report of the Transport and Environment Committee for 1995 be referred back.

CARRIED.

* * * * *

Section 47 Re: All-way Stop Control - Rowntree Drive and Rushdale Drive

It was moved by Alderman Merling and seconded by Alderman Anderson that Section 47 of the Second Report of the Transport and Environment Committee for 1995 be referred back.
CARRIED.

PARKS AND RECREATION COMMITTEE - FOURTH REPORT

PLANNING AND DEVELOPMENT COMMITTEE - FIFTH REPORT

Section 1 Re: Zoning Application 94-31 Re: 680 Van Wagner's Beach Road

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Agro, McCulloch, Drury, Morelli, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -12.

NAYS: Aldermen Kiss, Copps, Wilson, Agostino. -4. **CARRIED.**

* * * * *

Section 3 Re: Intent to Designate - James Street South Stone Terrace

Alderman Jackson declared personal interest in, took no part in the debate and refrained from voting on this matter. Alderman Jackson owns a business in this area.

* * * * *

Section 4 Re: Cash-in-Lieu Policy - John Flynn of Sonke Holdings - 1004-1006 King Street West.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. - 15.

NAYS: Alderman Caplan. -1.

CARRIED.

FINANCE AND ADMINISTRATION COMMITTEE - THIRD REPORT

FINANCE AND ADMINISTRATION COMMITTEE - FOURTH REPORT

NOMINATING COMMITTEE - SECOND REPORT

NOTICES OF MOTION

Alderman Agro gave notice that he would move at the next regular meeting of City Council the following motion:

"WHEREAS the City of Hamilton is surrounded by the Area Municipalities of Stoney Creek, Glanbrook, Ancaster, Dundas and Flamborough, and

WHEREAS the City of Hamilton has no room whatsoever in which to grow, and is virtually boxed-in by these five area municipalities, and

WHEREAS these five municipalities continue to grow and expand with the eventual result of creating 6 competing area municipalities for this region and that this divisiveness will not only be counterproductive, but will result in a serious dilution of the effectiveness of this region, and

WHEREAS it is critical that the Hamilton Area be allowed to grow and prosper in order to compete with other cities during these increasingly competitive times,

THEREFORE be it resolved that staff investigate the "feasibility of" and the "procedures involved" to annex both Glanbrook and Flamborough".

* * * * *

Alderman Merling gave notice that he would move at the next regular meeting of City Council the following motion:

"The arrangement with the Region of Hamilton-Wentworth for the City's planning service, as it currently exists, be discontinued.

That the City of Hamilton provide its own planning and related development services directly.

That staff, under the direction of the Chief Administrative Officer, submit the appropriate implementation plan for the direct service provision, minimizing any negative impact on the current employees and the budget of both corporations, for the March meeting of the Planning and Development Committee."

* * * * *

Mayor R. Morrow gave notice that he would move at a future meeting of City Council a motion respecting downtown redevelopment.

* * * * *

Mayor R. Morrow gave notice that he would move at a future meeting of City Council a motion respecting a consolidated Regional taxbase.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, and the Nominating Committee, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0.

CARRIED.

ACTING MAYOR FOR THE MONTH OF FEBRUARY, 1995

It was moved by Alderman Kiss and seconded by Alderman Caplan that Alderman B. Charters be Acting Mayor for the Month of February, 1995.

CARRIED.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0.

CARRIED.

BILLS

It was moved by Alderman Kiss and seconded by Alderman Caplan that the following Bills be read a first time:

A-8, A-9, A-10, A-11, A-12, A-13, A-14.

C-10, C-11.

D-9, D-10, D-11, D-12.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that Council move into Committee of the Whole to consider the following Bills, with Alderman Eisenberger in the chair. (second reading).

A-8, A-9, A-10, A-11, A-12, A-13, A-14.
C-10, C-11.
D-9, D-10, D-11, D-12.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0.

CARRIED.

* * * * *

Consideration of the Bills (second reading).

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the following Bills, be adopted:

A-8, A-9, A-10, A-11, A-12, A-13, A-14.
C-10, C-11.
D-9, D-10, D-11, D-12.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the following Bills, be now read a third time, signed, sealed and enrolled as By-laws:

A-8, A-9, A-10, A-11, A-12, A-13, A-14.

C-10, C-11.

D-9, D-10, D-11, D-12.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0.

CARRIED.

* * * * *

City Council then adjourned at 8:45 o'clock p.m.

* * * * *

Taken as read and approved.

MAYOR R. M. MORROW

J. J. Schatz, City Clerk
1995 January 31
JJS/dg

CORRESPONDENCE

Correspondence

1. Application dated 1995 February 9 from Stanlow Holdings Ltd. and Steinnagel Construction Ltd., (Arno Steinnagel) and Robert Shelley Construction Ltd., (Robert Shelley) for changes in zoning from "AA" (Agricultural) District to "A" (Conservation, Open Space, Park and Recreation) District for Block "1", "R-4" (Small Lot Single-Family Dwelling) District for Block "2", and "C" (Urban Protected Residential, etc.) District for Block "3", for lands located at the rear of No. 50 Miles Road, Hamilton, Ontario.

Recommendation: Be Received.

2. Application dated 1995 February 1 from P. Hatzoglou, P. Zourntos, J. Zourntos, A. Tuite, P. Mancini for a change in zoning from "G-4" (Designated Neighbourhood Shopping Area) District, modified to "HH" (Restricted Community Shopping and Commercial) District, modified, for lands located at No. 30 Rymal Road East, Hamilton, Ontario.

Recommendation: Be Received.

3. Application dated 1995 February 1 from 603976 Ontario Ltd. (Dan Valentini) c/o Terra Homes, Hamilton, Ontario for removal of the "H" Holding Provision from the "C" (Urban Protected Residential, etc.) District for lands located in the area east of Upper James Street and north of Chipman Avenue, Hamilton, Ontario.

Recommendation: Be Received.

* * * * *

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Transport and Environment Committee presents its **THIRD** Report for 1995 and respectfully recommends:

1. (a) That the City Clerk be directed to write to the Corporate Headquarters for Pizza Pizza and express the City's concerns respecting the "30 minutes or free" delivery policy time; and,

 (b) That the Hamilton-Wentworth Regional Police Department be requested to report back on the feasibility of increasing the level of traffic enforcement throughout the City.
2. (a) That one of the parking permits presently assigned to the residential property at No. 30 Webber Avenue be rescinded; and,

 (b) That one of the parking permits presently assigned to the residential property at No. 28 Webber Avenue be rescinded; and,

 (c) That two parking permits be made available to the residents at No. 10 Webber Avenue.
3. (a) That a "No Parking" regulation be implemented on the north side of Royal Avenue between Bowman Street and Stroud Road; and,

 (b) That the existing "No Parking" regulation on the south side of Royal Avenue between Bowman Street and Winston Place/Wilmont Court be shortened such that the regulation commences at Bowman Street and extends to a point 40 feet easterly therefrom; and,

 (c) That the City Traffic By-law 89-72 be amended accordingly.
4. That the existing "No Parking" regulation on the east side and the existing metered parking on the west side of Park Street North between York Boulevard and Vine Street be switched to the opposite sides of the street in this block and that the City Traffic By-law 89-72 be amended accordingly.
5. That the existing "No Parking - Loading Zone" on the east side of Barons Avenue North which commences 16 feet south of Britannia Avenue and extends to a point 20 feet southerly therefrom be removed and that the City Traffic By-law 89-72 be amended accordingly.

6. That the existing "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation on the east side of East 24th Street, which commences at Crockett Street and extends to the south property line of No. 101 East 24th Street be revised such that the regulation extends to the north property line of No. 101 East 24th Street, and that the City Traffic By-law 89-72 be amended accordingly.
7. That the existing "Commercial Vehicle Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the south side of Homewood Avenue commencing at a point 90 feet west of Dundurn Street South and extending to a point 47 feet westerly therefrom be removed and that the City Traffic By-law 89-72 be amended accordingly.
8. That the City Traffic By-law 89-72 be amended to allow for the installation of one additional parking meter on the west side of East 23rd Street immediately south of Fennell Avenue East.
9. That the existing "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the west side of Springside Drive be extended 40 feet northerly such that it commences 800 feet south of the south curb line of Lister Avenue and extends 90 feet southerly and that the City Traffic By-law 89-72 be amended accordingly.
10. That a "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be implemented on the north side of Albright Road commencing at a point 379 feet west of the west curb line of Mt. Albion Road and extending 25 feet westerly and that the City Traffic By-law 89-72 be amended accordingly.
11. That the existing "No Parking" regulation on the east side of Mountwood Avenue which commences at a point 54 feet south of Louisa Avenue and extends to a point 73 feet southerly therefrom be removed and that the City Traffic By-law 89-72 be amended accordingly.
12. That a "Wheelchair Loading Zone, 8:00 a.m. to 4:00 p.m., Monday to Friday" regulation be implemented on the north side of Young Street commencing at a point 71 feet east of James Street South and extending to a point 28 feet easterly therefrom and that the City Traffic By-law 89-72 be amended accordingly.
13.
 - (a) That eastbound traffic on Benvenuto Crescent (north leg) be required to stop for northbound and southbound traffic on Claudette Gate; and,
 - (b) That eastbound traffic on Philomena Drive be required to stop for northbound and southbound traffic on Alfrin Court; and,
 - (c) That eastbound traffic on Danson Drive be required to stop for northbound and southbound traffic on Spadara Drive; and,

- (d) That westbound traffic on Danson Drive be required to stop for northbound and southbound traffic on Donnici Drive; and,
 - (e) That the City Traffic By-law 89-72 be amended accordingly.
14. That eastbound traffic on both the north and south legs of Garden Crescent be required to stop for northbound and southbound traffic on East 24th Street and that the City Traffic By-law 89-72 be amended accordingly.
15. That all-way stop control be implemented at the intersection of Acadia Drive and Butler Drive and that the City Traffic By-law 89-72 be amended accordingly.
16. (a) That the submitted schedule of works be adopted for inclusion in the Subdivision Agreement with the Owners for the estimated costs of services in:

"ORCHARD PARK ESTATES - PHASE 4", Hamilton

City's Share \$18,843. Owner's Share - \$179,804.

- (b) That the Mayor and City Clerk be authorized and directed to execute the proposed Subdivision Agreement with the Owners of "Orchard Park Estates - Phase 4", Hamilton as well as any other related documents required for this development subject to the approval of the City Solicitor; and,
 - (c) That approval to the above-noted clauses be subject to the condition that no work be commenced until the final plans and subdivision agreements have been registered; and,
 - (d) That in the event the Owners wish to proceed prior to the registration of the Final Plans and Subdivision Agreements, they should be allowed to do so at the own risk provided they enter into a standard agreement with the City of Hamilton for Pre-Servicing; and,
 - (e) That the City's share of services in "Orchard Park Estates - Phase 4", Hamilton (\$18,843.) be approved and that the Finance and Administration Committee recommend the source of funding.
17. That the applications to retain inadvertent encroachments at the locations as outlined on Appendix "A", attached hereto, be approved provided:
- (a) That the owners enter into agreements satisfactory to the City Solicitor and Commissioner of Transportation/Environmental Services to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and,
 - (b) That the Mayor and City Clerk be authorized to execute the City's standard form of agreement; and,

1995 February 14

(c) That the first year fees and subsequent annual fees outlined in Appendix "A" be set for the encroachments.

18. That a purchase order be issued to Sentinel Pole and Traffic Equipment Ltd., Mississauga, Ontario; for an amount of up to a maximum of \$71,000., for the supply and delivery of traffic poles, hardware and traffic signal arms as and when required during 1995 by the Traffic Department, being the lowest of five bids received and being in accordance with the specifications issued by the Manager of Purchasing Vendor's tender, and that this expenditure be financed through the Traffic Signs Materials Account No. CH56154 75999.
19. That a purchase order be issued to Guild Electric Limited, Scarborough, Ontario; for an amount of up to a maximum of \$95,000., for the supply and delivery of sign blanks as and when required during 1995 by the Traffic Department, as per attached prices, being the lowest of four bids received and being in accordance with the specifications issued by the Manager of Purchasing Vendor's tender, and that this expenditure be financed through the Traffic Signs Materials Account No. CH56154 75999.
20. That leave be granted to introduce the following Bills:
 - (a) A-15 A By-law to Amend By-law No. 89-72 to Regulate Traffic
 - (b) A-16 A By-law to Amend By-law No. 89-72 to Regulate Traffic

Respectfully Submitted,

**ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE**

**Kevin C. Christenson
Secretary**

1995 February 6

Appendix "A" as referred to in
Section 17 of the THIRD Report
of the Transport and Environment
Committee for 1995

<u>Location</u>	<u>Owner</u>	<u>Type of Encroachment</u>	<u>First Year/Annual</u>	<u>File Number</u>
167 Hess Street South	C.A. DeMatteo	Stoop measuring 0.60m x 1.83m Ties and Planter 0.69m x 7.68m	134/20.	T103 50 (1079)
24 East Bend Avenue North	O. Hall	Steps measuring 0.3m x 1.10m	138/20.	T103 50 (1138)
499 John Street North	G. & N. Sterling	Porch measuring 0.18m x 4.12m	138/20.	T103 50 (1137)
137 Peter Street	J. Bennett	Porch measuring 0.21m x 5.33m Steps measuring 0.90m x 1.21m	138/30.	T103 50 (1135)
46 Fraser Avenue	Chau/Nguyen	Portion of Building measuring 0.52m x 6.85m	138/20.	T103 50 (1144)
146 Burris Street	M. Anderson and S. Thomas	Steps Measuring 0.51m x 1.82m	138/20.	T103 50 (1140)

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **SIXTH** Report for 1995 and respectfully recommends:

1. A. That approval be given to Zoning Application ZAC-94-29, J. and C. Martin and The City of Hamilton, owners, for changes in zoning from "B" (Suburban Agriculture and Residential, etc.) District to "B-2" (Suburban Residential) District, for Block "1", and to "B-2" (Suburban Residential) District, modified, for Block "2", and from "AA" (Agricultural) District to "B-2" (Suburban Residential) District, modified, for Block "3", to permit development of the subject lands for seven large lot single-family dwellings, for lands located at the south-east corner of Stone Church Road East and Dicenzo Drive, as shown on the attached map, marked as Appendix "A", on the following basis:
 - (a) That Block "1" be rezoned from "B" (Suburban Agriculture and Residential, etc.) District to "B-2" (Suburban Residential) District; and,
 - (b) That Block "2" be rezoned from "B" (Suburban Agriculture and Residential, etc.) District to "B-2" (Suburban Residential) District, modified; and,
 - (c) That Block "3" be rezoned from "AA" (Agricultural) District to "B-2" (Suburban Residential) District, modified; and,
 - (d) That the "B-2" (Suburban Residential) District regulations as contained in Section 8B. of Zoning By-law No. 6593, applicable to Blocks "2" and "3", be modified to include the following variance as a special requirement:
 - (i) Notwithstanding Section 8B.(4) every lot or tract of land shall have a width of at least 15.0 meters and an area of at least 430 square meters.
 - (e) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1339, and that the subject lands on Zoning District Map E-9C be notated S-1339; and,

- (f) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-9C for presentation to City Council; and,
 - (g) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area.
- B. That outstanding charges be paid and the 1'-0" reserve be lifted at the time of issuance of a building permit on an individual basis per lot.
- 2. That the appropriate staff (eg. Law and Planning Departments) be authorized to attend the Ontario Municipal Board hearings, respecting properties located at 121 Ivon Avenue and 4 Bala Place (Committee of Adjustment applications A-94:214 and A-94:219, respectively).
- 3. That the appropriate staff (eg. Law and Planning Departments) be authorized to attend the Ontario Municipal Board hearing regarding an appeal to the Committee of Adjustment decision to deny Application No. A-94:228, respecting property located at 47 Erie Avenue.
- 4.
 - (a) That the Building Commissioner be authorized and directed to maintain the Ontario Home Renewal Program (O.H.R.P.) Fund of approximately \$4.8 million in a trust account, notwithstanding the request of the Ontario Minister of Housing under amended Regulation 641 of the Housing Development Act, that the City of Hamilton return, by March 1, 1995, the balance of the Ontario Home Renewal Program Trust Fund, and;
 - (b) That the Mayor be authorized and directed to send a letter to the Minister of Housing confirming and explaining the City's position, and;
 - (c) That the City Treasurer be authorized and directed, to re-invest, on 1995 March 1, the O.H.R.P. Trust Fund balance in short-term securities.
- 5. That the City of Hamilton Accept the lot grading of Lots 1 to 8 inclusive, Eleanor Gardens - Phase 5, Addition, Plan No. 62M-435 and that the subdivider, Amerigo and Anna Cocco, be relieved of any further obligations under Section VIII of the City Subdivision Agreement for Eleanor Gardens - Phase 5, Addition, with respect to the lot grading of Lots 1 to 8 inclusive.
- 6. That the Mayor and City Clerk be authorized to execute the necessary documents to release the property at 2673 Barton Street East, Hamilton, from the construction covenants to the City as contained in City Deed 198885 A.B. registered on 1971 March 18.

7.
 - (a) That the City of Hamilton renew the lease with the Toronto Area Transit Operating Authority which expired on 1994 July 31, respecting the use of City owned land located on Strachan Street East and James Street North; and,
 - (b) That the new term be for a period of two (2) years commencing 1994 August 1 and expiring 1996 July 31 at a rental rate of \$11,129.58 per year plus realty taxes with monthly payments of \$927.47 due on the first (1st) day of each month and proceeds be credited to Account No. CH 44104 31106 (Rental Civic Property - Civic Properties Rented); and,
 - (c) That in the event the premises are not required for the Industrial Perimeter Road Project, consideration will be given to a further two (2) year extension upon such terms and conditions as the parties may agree; and,
 - (d) That the lease renewal be in a form satisfactory to the City Solicitor; and,
 - (e) That the Mayor and City Clerk be authorized and directed to execute the renewal agreement.
8. That the Building Commissioner be authorized to issue a demolition permit for 158 Rymal Road West in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act, as amended.
9. That the Building Commissioner be authorized to issue a demolition permit for 382 Sherman Avenue North in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act, as amended.
10. That leave be granted to introduce the following Bill:
 - C-12 A By-law to amend By-law No. 93-167 respecting Building Permit Fees.
 - C-13 A By-law to amend By-law No. 86-212 as amended by By-laws No. 87-229, 92-057 and 93-023 respecting Members of the Board of Management of the International Village Business Improvement Area.
 - C-14 A By-law to amend By-law No. 86-98 as amended by By-laws No. 92-074, 93-066 and 94-043 respecting Members of the Board of Management of the Westdale Business Improvement Area.
 - C-15 A By-law to amend By-law No. 92-078 respecting Members of the Board of Management of the Main Street West Esplanade Business Improvement Area.

1995 February 14

- C-16 A By-law to amend By-law No. 87-308 as amended by By-laws No. 92-079 and 93-228 respecting Members of the Board of Management of The Barton General Business Improvement Area.
- C-17 A By-law to amend By-law No. 86-99 as amended by By-laws No. 88-144, 92-056 and 93-022 respecting Members of the Board of Management of the Ottawa Street Business Improvement Area.
- C-18 A By-law to amend By-law No. 86-73 as amended by By-laws No. 87-148, 92-058, 93-065 and 93-211 respecting Members of the Board of Management of the Downtown Hamilton Business Improvement Area.
- C-19 A By-law to amend By-law No. 86-144 respecting Members of the Board of Management of the Concession Street Business Improvement Area.

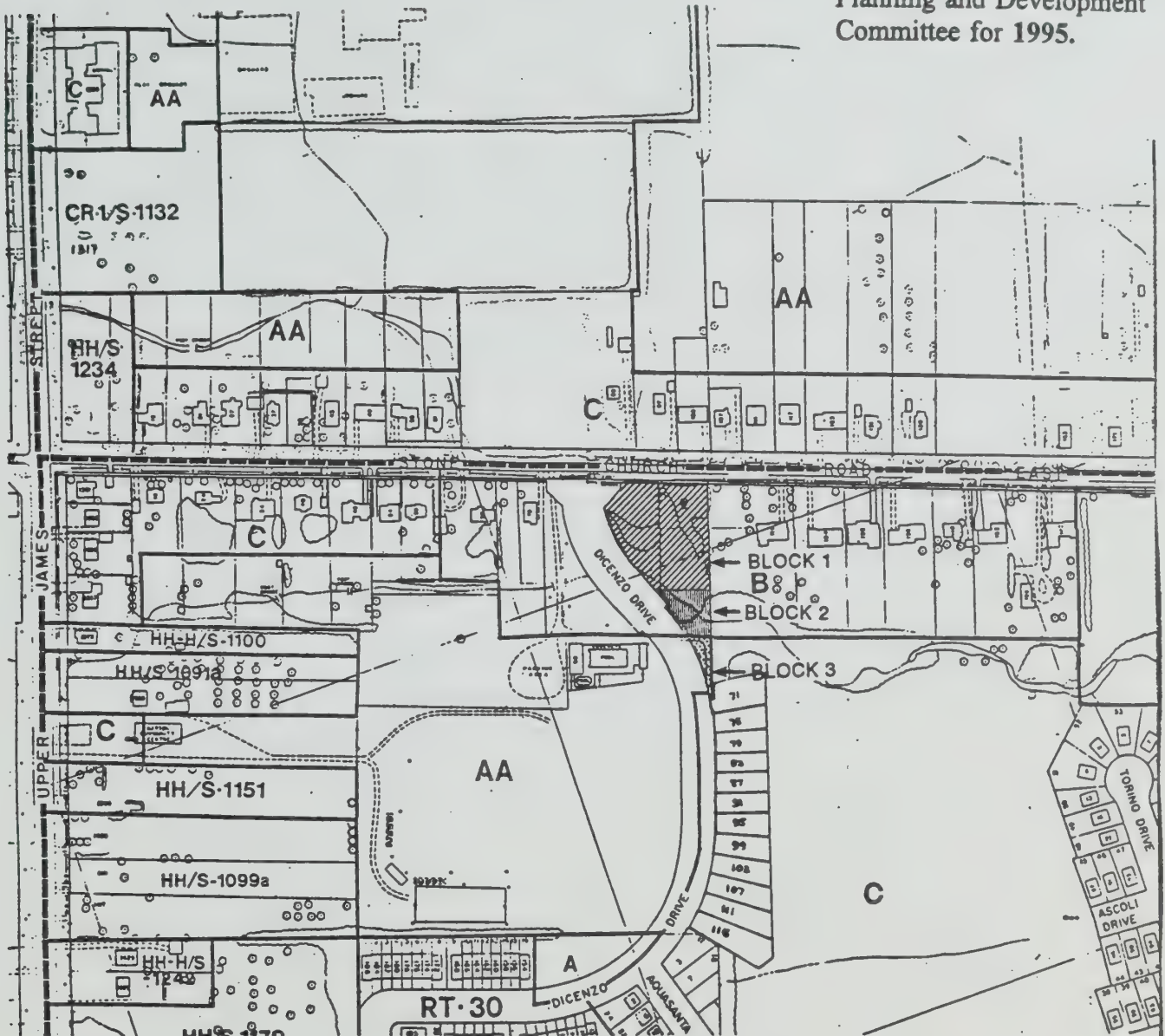
RESPECTFULLY SUBMITTED,

**ALDERMAN D. DRURY, CHAIRPERSON
PLANNING AND DEVELOPMENT
COMMITTEE**

**Stella Glover
Secretary**




1995 February 8

Appendix "A" referred to in Section 1 of the SIXTH Report of the Planning and Development Committee for 1995.



Legend

Proposed change in zoning from:

- | | | |
|---------|---|--|
| BLOCK 1 |  | "B" (Suburban Agriculture and Residential, etc.) District to "B-2" (Suburban Residential) District |
| BLOCK 2 |  | "B" (Suburban Agriculture and Residential, etc.) District to "B-2" (Suburban Residential) District, modified |
| BLOCK 3 |  | "AA" (Agriculture) District to "B-2" (Suburban Residential) District, modified |


ZAC-94-29

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **FIFTH** Report for 1995 and respectfully recommends:

1. (a) That approval be given to a request by the Ontario Mundialization Association and the United Nations Association - Hamilton Branch for the use of the Council Chambers on Sunday, 1995 June 4th, between the hours of 1:00 o'clock p.m. to 5:00 o'clock p.m. for a public meeting in commemoration of the 50th Anniversary of the United Nations; and,

(b) That the City Clerk be granted authority to approve a similar use in future years provided it does not interfere with any other activity.
2. (a) That approval be given to the action taken by the City Clerk in authorizing a request by the Canada Centre for Inland Waters, Department of Fisheries and Oceans, Great Lakes Laboratory for Fisheries and Aquatic Sciences program, for the use of the First Floor Lobby in City Hall to exhibit an information display from Tuesday, 1995 February 7 until Friday, 1995 February 24; and,

(b) That the City Clerk be granted authority to approve a similar use in future years provided it does not interfere with any other activity.
3. (a) That approval be given to the action taken by the City Clerk in authorizing the use of the Council Chambers on Monday, 1995 February 13 between the hours of 2:00 o'clock p.m. to 4:00 o'clock p.m. by Dr. Richard Allen, MPP, Hamilton West for a pre-budget consultation with youth; and,

(b) That the City Clerk be granted authority to approve a similar use in future years provided it does not interfere with any other activity.
4. That as referred to in Section 16 of the Third Report for 1995 of the Transport and Environment Committee, the City's share of "Orchard Park Estates - Phase 4" Servicing, at a cost of \$18,843., be financed from Centre No. CH 00107 - "Reserve for Services through Unsubdivided Lands".

5. That the accrued interest on the outstanding realty taxes, in the amount of \$4,975.20, for the property municipally known as 15 Lorraine Drive be written off under Section 441 of The Municipal Act and charged to Tax Writeoffs, Account CH-53401-24106.

6. (a) That the City's policy, which was adopted by City Council on 1988 August 30, for the acceptance of subdivision securities such as Letters of Credit, Term Deposits, Savings Accounts, and Guaranteed Investment Certificates, be revised to include the following provision:

That such securities will be accepted by the City if they are issued by Schedule I Banks, Schedule II Banks with RI Middle/AA rating, and Trust Corporations with RI Middle/AA rating in accordance with the Investment Policy and Cash Management Practices adopted by City Council on 1994 May 31; and,

(b) That the provision regarding interest on subdivision securities held by the City be revised to provide interest on cash received as security at the savings rate of the City's Banker (presently the Canadian Imperial Bank of Commerce).

7. That the principal amount and accrued interest of the following trust funds be transferred to the Hamilton Civic Hospital, effective 1994 December 31:

Babies Dispensary Guild Trust
Margaret McLaren House Scholarship
Hubert Washington Memorial Fund
Elizabeth Heron Trust Fund

8. That leave be granted to introduce the following Bills:

- | | | |
|-----|------|--|
| (a) | D-13 | A By-law to amend Cemeteries By-law No. 8861 respecting Revised Tariff of Charges |
| (b) | D-14 | A By-law to Establish Procedures for Sales of Real Property Owned by the City of Hamilton |
| (c) | D-15 | A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton. |

Respectfully submitted,

**ALDERMAN B. CHARTERS, CHAIRPERSON
FINANCE AND ADMINISTRATION COMMITTEE**

Susan K. Reeder, Secretary
1995 February 7

1995 February 14

REPORT OF THE CITY OF HAMILTON LICENSING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The City of Hamilton Licensing Committee presents its **FIRST** Report for 1995 and respectfully recommends:

1. That the Cab Driver Licence application of Gerald Cunningham, 819 Beach Blvd., Hamilton, be denied.

Confidential background information provided to members of City Council under separate cover.

RESPECTFULLY SUBMITTED

**ALDERMAN D. WILSON
CHAIRPERSON
LICENSING COMMITTEE**

Crystabelle Fobler
Secretary

1995 February 08

NOTICES OF MOTION

NOTICE OF MOTION - ALDERMAN V. J. AGRO

MOVED BY: **ALDERMAN**

SECONDED BY: **ALDERMAN**

"WHEREAS the City of Hamilton is surrounded by the Area Municipalities of Stoney Creek, Glanbrook, Ancaster, Dundas and Flamborough, and

WHEREAS the City of Hamilton has no room whatsoever in which to grow, and is virtually boxed-in by these five area municipalities, and

WHEREAS these five municipalities continue to grow and expand with the eventual result of creating 6 competing area municipalities for this region and that this divisiveness will not only be counterproductive, but will result in a serious dilution of the effectiveness of this region, and

WHEREAS it is critical that the Hamilton Area be allowed to grow and prosper in order to compete with other cities during these increasingly competitive times,

THEREFORE be it resolved that staff investigate the "feasibility of" and the "procedures involved" to annex both Glanbrook and Flamborough".

NOTICE OF MOTION - ALDERMAN H. MERLING

MOVED BY: ALDERMAN

SECONDED BY: ALDERMAN

"That the arrangement with the Region of Hamilton-Wentworth for the City's planning service, as it currently exists, be discontinued.

That the City of Hamilton provide its own planning and related development services directly.

That staff, under the direction of the Chief Administrative Officer, submit the appropriate implementation plan for the direct service provision, minimizing any negative impact on the current employees and the budget of both corporations, for the March meeting of the Planning and Development Committee."

**MEETING OF THE COUNCIL
OF THE CORPORATION OF THE CITY OF HAMILTON**

**TUESDAY, 1995 FEBRUARY 14
7:30 O'CLOCK P.M.
COUNCIL CHAMBER, CITY HALL**

B I L L S

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 10 (Stops at Intersections) of By-law 89-72 To Regulate Traffic** passed on the 28th day of February 1989 is hereby amended by adding thereto the following items, namely:-

Acadia	Northbound and Southbound	Butler
Garden (north leg)	Eastbound	East 24th
Garden (south leg)	Eastbound	East 24th
Benvenuto (north leg)	Eastbound	Claudette
Philomena	Eastbound	Afrin
Danson	Eastbound	Spadara
Danson	Westbound	Donnicl

2. **Schedule 30 (Commercial Vehicle Loading Zones)** is hereby amended by deleting therefrom the following item, namely:-

*Homewood South 47 feet 90 feet west of Dundurn 7:00 am - 6:00 pm
Mon to Sat*.

3. **Schedule 31 (School Bus Loading Zones)** is hereby amended by deleting therefrom the following item, namely:-

Springside	West	50 feet	commencing at a point 840 feet south of Lister	7:00 am - 6:00 pm Monday to Saturday.
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and by adding thereto the following items, namely:-

*Springside	West	90 feet	commencing 800 feet south of Lister	7:00 am - 6:00 pm Monday to Saturday
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Albright	North	25 feet	commencing 379 feet west of the west curb line of Mt. Albion	7:00 am - 6:00 pm Monday to Saturday".
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4. **Schedule 35 (Wheelchair Loading Zones)** is hereby amended by adding thereto the following item, namely:-

Young North 28 feet commencing 71 feet east of James 8:00 am - 4:00 pm Monday to Friday.

PASSED this day of A.D. 1995.

CITY CLERK

MAYOR

BY-LAW NO. 95 -

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 24 (Parking Meter Locations)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended:

(a) by deleting from **Section 4(a) (Half Hour Limit)** the following item, namely:-

"East 23rd	West	from a point 27 feet south of Fennell to a point 40 feet southerly".
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and by adding thereto the following item, namely:-

"East 23rd	West	from a point 27 feet south of Fennell to a point 60 feet southerly".
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(b) by deleting from **Section 2(b) (Two Hour Limit)** the following item, namely:-

"Park	West	York to Vine".
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and by adding thereto the following item, namely:-

"Park	East	York to Vine".
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2. **Schedule 25 (Parking Time Limits)** is hereby amended by deleting therefrom the following item, namely:-

"East 24th	East	Crockett to south property line of #101	1 hr	8 am - 6 pm Mon - Fri".
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and by adding thereto the following item, namely:-

"East 24th	East	Crockett to north property line of #101	1 hr	8 am - 6 pm Mon - Fri".
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3. **Schedule 26 (No Parking Areas)** is hereby amended by adding thereto the following items, namely:-

"Royal	North	Bowman to Stroud	Anytime
Royal	South	Bowman to 40 feet east	Anytime
Park	West	York to Vine	Anytime".

and by deleting therefrom the following item, namely:-

"Royal	South	Bowman to Wilmont	Anytime
Park	East	York to Vine	Anytime
Mountwood	East	from a point 54 feet south of Louisa to a point 73 feet southerly therefrom	Anytime".

4. **Schedule 26A (Loading Zones)** is hereby amended by deleting therefrom the following item, namely:-

"Barons East 20 ft. 16 ft. south of Britannia Anytime".

PASSED this day of A.D. 1995.

CITY CLERK

MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 95-

To Amend:

By-law No. 93-167

Respecting

BUILDING PERMIT FEES

WHEREAS By-law No. 93-167 was enacted on the 27th day of July, 1993 to specify the Building Permit fees;

AND WHEREAS paragraph 3 of Schedule "A" of By-law No. 93-167 creates a Permit fee of \$75.00 for re-shingling a single family residence roof;

AND WHEREAS Council, on December 13, 1994, in adopting Item No. 6 of the 2nd Report of the Planning and Development Committee authorized this By-law;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

Paragraph 3 of Schedule "A" of By-law No. 93-167 is repealed.

PASSED this

day of

199 .

CITY CLERK

MAYOR

(1994) 2 R.P.D.C. 6, December 13

The Corporation of the City of Hamilton

BY-LAW NO. 95-

To Amend:

By-law No. 86-212

As Amended by By-laws No. 87-229, 92-057 and 93-023

Respecting:

**MEMBERS OF THE BOARD OF MANAGEMENT OF
THE INTERNATIONAL VILLAGE BUSINESS IMPROVEMENT AREA**

WHEREAS By-law No. 86-212, passed on the 25th day of June 1986, provided for a Board of Management of the Improvement Area designated by By-law No. 76-19, passed on the 27th day of January 1976, known as the "International Village Business Improvement Area", more particularly described in By-law No. 76-19, all in accordance with subsections 217(1) and 217(6) of the Municipal Act, R.S.O. 1980, Chapter 302;

AND WHEREAS By-law No. 87-229, passed on the 28th day of July 1987 and By-law No. 93-023, passed on the 26th day of January 1993, varied the composition of the Board of Management;

AND WHEREAS it is expedient to repeal By-laws No. 87-229 and 93-023;

AND WHEREAS By-law No. 92-057, passed on the 11th day of February 1992, varied the composition of the Board of Management and provided for editorial amendments to By-law No. 86-212;

AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting Section 9 of the 3rd Report of the Planning and Development Committee on the 10th day of January, 1995, directed that the composition of the Board of Management be further varied, in accordance with Section 220 of the Municipal Act, R.S.O. 1990, as hereinafter provided;

AND WHEREAS it is intended to further vary the composition of the Board of Management.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. (a) Schedule "B" referred to in clause 2(b) of By-law No. 86-212, as amended, is repealed the following substituted therefor:

Wolfgang Schoen
Paul Kircos
Gord Thompson
John Kenyon
Jason Kropf
Pat J. Connell
Agostino Ammendolia

Black Forest Inn
Alexanian Carpets
Thompson Jewellery and Pawn
Payne Music
Rave Records
Canadian Imperial Bank of Commerce
Ammendolia Realty

2. By-laws No. 87-229 and 93-023 are hereby repealed in their entirety.

3. In all other respects, By-law No. 86-212, as amended, is hereby confirmed, unchanged.

PASSED this

day of

A.D. 1995

CITY CLERK

MAYOR

(1995) 3 R.P.D.C. 9, January 10

The Corporation of the City of Hamilton

BY-LAW NO. 95-

To Amend:

By-law No. 86-98

As Amended by By-laws No. 92-074, 93-066 and 94-043

Respecting:

**MEMBERS OF THE BOARD OF MANAGEMENT OF
THE WESTDALE BUSINESS IMPROVEMENT AREA**

WHEREAS By-law No. 86-98, passed on the 11th day of March 1986, provided for a Board of Management of the Improvement Area designated by By-law No. 86-30, passed on the 10th day of December 1985, known as the "Westdale Business Improvement Area", more particularly described in By-law No. 86-30, all in accordance with subsections 217(1) and 217(6) of the Municipal Act, R.S.O. 1980, Chapter 302;

AND WHEREAS By-law No. 92-074, passed on the 10th day of March 1992, varied the composition of the Board of Management and provided for an editorial amendment to By-law No. 86-98;

AND WHEREAS By-law No. 93-066, passed on the 30th day of March 1993 and By-law No. 94-043, passed on the 8th day of March 1994, varied the composition of the Board of Management;

AND WHEREAS it is expedient to repeal By-laws No. 93-066 and 94-043;

AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting Item 11 of the 3rd Report of the Planning and Development Committee at its meeting held on the 10th day of January 1995, directed that the composition of the Board of Management be further varied, in accordance with the provisions of Section 220 of the Municipal Act, R.S.O. 1990, as hereinafter provided;

AND WHEREAS it is intended to further vary the composition of the Board of Management.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "A" referred to in clause 2(a) of By-law No. 86-98, is repealed and the following substituted therefor:

Alderman M. Kiss
Alderman M. Caplan

2. Schedule "B" referred to in clause 2(b) of By-law No. 86-98, is repealed and the following substituted therefor:

D. Upsdell	Oddities
S. Snider	The Picture Frame
F. Wands	Retirement Counsel of Canada
M. B. Ledden	Judy Marsales Real Estate
R. Lahie	Jack Carruth Shoe Store
G. Ditner	Cottage Florist
D. Simpson	Simpson Watson and Vujnovic
J. Rosenweig	Chez Bon Bon

3. By-laws No. 93-066 and 94-043 are hereby repealed in their entirety.

4. In all other respects, By-law No. 86-98, as amended, is hereby confirmed, unchanged.

PASSED this day of

A.D. 1995

CITY CLERK

MAYOR

(1995) 3 R.P.D.C. 11, January 10

The Corporation of the City of Hamilton

BY-LAW NO. 95-

To Amend:

By-law No. 92-078

Respecting:

**MEMBERS OF THE BOARD OF MANAGEMENT
OF THE MAIN STREET WEST ESPLANADE BUSINESS IMPROVEMENT AREA**

WHEREAS By-law No. 92-078, passed on the 10th day of March 1992, provided for a Board of Management of the Improvement Area designated by By-law No. 90-197, passed on the 26th day of June 1990, known as the "Main West Esplanade Business Improvement Area", more particularly described in By-law No. 90-197, all in accordance with subsections 217(1) and 217(6) of the Municipal Act, R.S.O. 1980, Chapter 302;

AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting Section 13 of the 3rd Report of the Planning and Development Committee on the 10th day of January 1995, directed that the composition of the Board of Management be further varied, in accordance with the provisions of Section 220 of the Municipal Act, R.S.O. 1990, as hereinafter provided;

AND WHEREAS it is intended to further vary the composition of the Board of Management.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "A" referred to in clause 2(a) of By-law No. 92-078 is repealed and the following substituted therefor:

Alderman M. Kiss
Alderman M. Caplan

2. Schedule "B" referred to in clause 2(b) of By-law No. 92-078 is repealed and the following substituted therefor:

M. Farrugia
A. Perniac
J. Castellano
J. Morrison
M. Barnard

Calla Decor and Design
Lorne Haverty Ltd.
Castellano Real Estate
Royal Bank
Barnard & Speziale Design
Associates Inc.

3. In all other respects, By-law No. 92-078 is hereby confirmed, unchanged.

PASSED this day of

A.D. 1995

CITY CLERK

MAYOR

(1995) 3 R.P.D.C. 15, January 10

The Corporation of the City of Hamilton

BY-LAW NO. 95-

To Amend:

By-law No. No. 87-308
As Amended by By-laws No. 92-079 and 93-228

Respecting:

**MEMBERS OF THE BOARD OF MANAGEMENT OF
THE BARTON GENERAL BUSINESS IMPROVEMENT AREA**

WHEREAS By-law No. 87-308, passed on the 10th day of November 1987, provided for a Board of Management of the Improvement Area designated by By-law No. 87-178, passed on the 23rd day of June 1987, known as the "Barton General Business Improvement Area", more particularly described in By-law No. 87-178, all in accordance with subsections 217(1) and 217(6) of the Municipal Act, R.S.O. 1980, Chapter 302;

AND WHEREAS By-law No. 92-079, passed on the 20th day of March 1992 varied the composition of the Board of Management and provided for an editorial amendment to By-law No. 87-308;

AND WHEREAS By-law No. 93-228, passed on the 9th day of November 1993, varied the composition of the Board of Management;

AND WHEREAS it is expedient to repeal By-law No. 93-228;

AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting Section 15 of the 3rd Report of the Planning and Development Committee on the 10th day of January 1995, directed that the composition of the Board of Management be further varied, in accordance with the provisions of Section 220 of the Municipal Act, R.S.O. 1990, as hereinafter provided;

AND WHEREAS it is intended to further vary the composition of the Board of Management.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "A" referred to in clause 2(a) of By-law No. 87-308, as amended, is repealed and the following substituted therefor:

Alderman B. Morelli
Alderman D. Drury

2. Schedule "B" referred to in clause 2(b) of By-law No. 87-308, as amended, is repealed and the following substituted therefor:

Keith Cody
Marko Tollis
Janice Robinson
Mark Daily

Cody's Wallcoverings
The Riveria Banquet Centre
Royal Bank
Marco's Pizza and Subs

3. By-law No. 93-228 is hereby repealed in its entirety.

4. In all other respects, By-law No. 87-308, as amended, is hereby confirmed, unchanged.

PASSED this day of

A.D. 1995

CITY CLERK

MAYOR

(1995) 3 R.P.D.C. 15, January 10

The Corporation of the City of Hamilton

BY-LAW NO. 95-

To Amend:

By-law No. 86-99

As Amended by By-laws No. 88-144, 92-056 and 93-022

Respecting:

**MEMBERS OF THE BOARD OF MANAGEMENT OF
THE OTTAWA STREET BUSINESS IMPROVEMENT AREA**

WHEREAS By-law No. 86-99, passed on the 11th day of March 1986, provided for a Board of Management of the Improvement Area designated by By-law No. 86-31, passed on the 10th day of December 1985, known as the "Ottawa Street Business Improvement Area", more particularly described in By-law No. 86-31, all in accordance with subsections 217(1) and 217(6) of the Municipal Act, R.S.O. 1980, Chapter 302;

AND WHEREAS By-law No. 88-144, passed on the 31st day of May 1988 and By-law No. 93-022, passed on the 26th day of January 1993, varied the composition of the Board of Management;

AND WHEREAS it is expedient to repeal By-laws No. 88-144 and 93-022;

AND WHEREAS By-law No. 92-056, passed on the 11th day of February 1992, varied the composition of the Board of Management and provided for an editorial amendment to By-law No. 86-99;

AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting Item 17 of the 3rd Report of the Planning and Development Committee at its meeting held on the 10th day of January 1995, directed that the composition of the Board of Management be further varied, in accordance with the provisions of Section 220 of the Municipal Act, R.S.O. 1990, as hereinafter provided;

AND WHEREAS it is intended to further vary the composition of the Board of Management.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. (a) Schedule "A" referred to in clause 2(a) of By-law No. 86-99, as amended, is repealed and the following substituted therefor:

Alderman B. Morelli
Alderman D. Drury
Alderman G. Copps
Alderman D. Wilson

2. (a) Schedule "B" referred to in clause 2(b) of By-law No. 86-99, as amended, is repealed and the following substituted therefor:

Gord Culshaw	A & B Catering
Michael Kier	Surplus-Plus
Gerald R. Carrey	Howard's Flower Shoppe
John Gut	The Textile Centre
John Driscoll	Price Busters
Edith Desmarais	Fred Gregory Florist
Rosemary Young	Wentworth Paints
Greta Munt	Greta's Flaire
Herb Pelz	E-Z Type Design
Tony Bifano	Anton's Video

3. By-laws No. 88-144 and 93-022 are hereby repealed in their entirety.

4. In all other respects, By-law No. 86-99, as amended, is hereby confirmed, unchanged.

PASSED this day of

A.D. 1995

CITY CLERK

MAYOR

(1995) 3 R.P.D.C. 17, January 10

The Corporation of the City of Hamilton

BY-LAW NO. 95-

To Amend:

By-law No. 86-73

As Amended by By-laws No. 87-148, 92-058, 93-065 and 93-211

Respecting:

**MEMBERS OF THE BOARD OF MANAGEMENT
OF THE DOWNTOWN HAMILTON BUSINESS IMPROVEMENT AREA**

WHEREAS By-law No. 86-73, passed on the 11th day of February 1986, continued the Board of Management established by By-law No. 83-71, passed on the 22nd day of February 1983, of the Improvement Area designated by By-law No. 82-151, passed on the 29th day of June 1982, known as the "Downtown Hamilton Business Improvement Area", more particularly described in By-law No. 82-151, all in accordance with subsections 217(1) and 217(6) of the Municipal Act, R.S.O. 1980, Chapter 302;

AND WHEREAS By-law No. 87-148, passed on the 12th day of May 1987, By-law No. 93-065, passed on the 30th day of March 1993, and By-law No. 93-211, passed on the 26th day of October 1993, varied the composition of the Board of Management;

AND WHEREAS it is expedient to repeal By-laws No. 87-148, 93-065 and 93-211;

AND WHEREAS By-law No. 92-058, passed on the 11th day of February 1992 varied the composition of the Board of Management and provided for an editorial amendment to By-law No. 86-73;

AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting Item 19 of the 3rd Report of the Planning and Development Committee at its meeting held on the 10th day of January 1995, directed that the composition of the Board of Management be further varied, in accordance with the provisions of Section 220 of the Municipal Act, R.S.O. 1990, as hereinafter provided;

AND WHEREAS it is intended to further vary the composition of the Board of Management.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "B" referred to in clause 2(b) of By-law No. 86-73, as amended, is repealed and the following substituted therefor:

R. Titian
 G. Attard
 D. Kinash
 T. Fraleigh
 P. Bhatia
 W. Gerovsky
 A. Morgante
 M. Caplan
 J. Livingston
 R. Harris
 D. Hannah

Reggie's Music and Sound
 Geraldo's/Ramada Hotel
 Gaslight Tavern
 Tefcom Ltd./Grindstone Properties
 Accountax and Paralegal
 Leeds of Hamilton
 Adventure Attic
 Marvin Caplan Gentlemen's Apparel
 Livingston Furs
 Harris and Henderson
 Canadian Imperial Bank of Commerce

2. By-laws No. 87-148, 93-065 and 93-211 are hereby repealed in their entirety.

3. In all other respects, By-law No. 86-73, as amended, is hereby confirmed, unchanged.

PASSED this day of

A.D. 1995

CITY CLERK

MAYOR

(1995) 3 R.P.D.C. 19, January 10

The Corporation of the City of Hamilton

BY-LAW NO. 95-

To Amend:

By-law No. 86-144

Respecting:

**MEMBERS OF THE BOARD OF MANAGEMENT OF
THE CONCESSION STREET BUSINESS IMPROVEMENT AREA**

WHEREAS By-law No. 86-144, passed on the 29th day of April 1986, provided for a Board of Management of the Improvement Area designated by By-law No. 83-308, passed on the 30th day of November 1983, known as the "Concession Street Business Improvement Area", more particularly described in By-law No. 83-308, all in accordance with subsections 217(1) and 217(6) of the Municipal Act, R.S.O. 1980, Chapter 302;

AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting Item 21 of the 3rd Report of the Planning and Development Committee at its meeting held on the 10th day of January 1995, directed that the composition of the Board of Management be further varied, in accordance with the provisions of Section 220 of the Municipal Act, R.S.O. 1990, as hereinafter provided;

AND WHEREAS it is intended to vary the composition of the Board of Management, and to provide for certain editorial amendments relating thereto.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. (1) Section 2(a) of By-law No. 86-144 is amended by adding thereto in the fifth line after the words "hereto annexed", the following phrase:

"and forming part of this by-law."

- (2) Section 2(b) of By-law No. 86-144 is amended by adding thereto in the sixth line after the words "so assessed", the following phrase:

"and whose names are set out in Schedule "B" hereto annexed and forming part of this by-law."

2. Schedule "A" referred to in 2(a) of By-law No. 86-144 is repealed and the following substituted therefor:

Alderman H. Merling
Alderman T. Anderson

3. Schedule "B" referred to in 2(b) of By-law No. 86-144 is repealed and the following substituted therefor:

Betty Toplack	Mountain Bookstore
Ray Devries	Ford & Associates
Roger Burroughs	Camtech
Norm Woolcott	Woolcott's Shoes

4. In all other respects, By-law No. 86-144 is hereby confirmed, unchanged.

PASSED this day of

A.D. 1995

CITY CLERK

MAYOR

(1995) 3 R.P.D.C. 21, January 10

The Corporation of the City of Hamilton

BY-LAW NO. 95-

To Amend

Cemeteries By-law No. 8861

Respecting:

REVISED TARIFF OF CHARGES

WHEREAS By-law No. 8861, passed on the 12th day of January 1960, in accordance with the Cemeteries Act, established a tariff of charges;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Item No. 4 of the 1st Report of the Finance and Administration Committee on December 13, 1994, directed that By-law No. 8861, as amended, be further amended to provide for an increase in the tariff of charges for 1995.

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. (a) By-law No. 8861, as amended by By-laws No. 74-303, 76-187, 76-337, 77-292, 78-276, 79-319, 80-229, 81-219, 83-42, 84-323, 84-268, 86-11, 87-22, 88-40, 88-274, 89-363, 90-16, 90-344, 92-185, By-law 93-019 and By-law 93-245 is further amended by deleting Schedule "B-1994" and substituting in lieu thereof Schedule "B-1995", hereto annexed and forming part of this by-law.
- (b) In all other respects, By-law No. 8861, as amended, is hereby confirmed unchanged.
2. The Manager of Cemeteries is hereby authorized and directed to make application to the Minister of Consumer and Commercial Relations, Cemeteries Branch, for approval of this by-law.

PASSED this

day of

, 1995.

CITY CLERK

MAYOR

SCHEDULE "B"

JANUARY 3, 1995
(Cemeteries By-Law No. 8861)

<u>GRAVES AND LOTS</u>	<u>Resident Realty Taxpayers</u>			<u>Non-Residents</u>		
		<u>G.S.T.</u>	<u>TOTAL</u>		<u>G.S.T.</u>	<u>TOTAL</u>
Adult Single-In-A-Row Grave (Graves cannot be selected or purchased in advance but are opened in sequence.)	464.00	32.48	496.48	573.00	40.11	613.11
Adult Single Grave (Where grave may be selected and purchased in advance of need.)	776.00	54.32	830.32	959.00	67.13	1,026.13
Child Single-In-A-Row						
Stillborn - Case up to 24"	51.00	3.57	54.57	61.00	4.27	65.27
Case 24" to 60"	111.00	7.77	118.77	145.00	10.15	155.15
Case 61" to 72"	164.00	11.48	175.48	197.00	13.79	210.79
Urn Garden Grave	258.00	18.06	276.06	314.00	21.98	335.98
Cremorial	816.00	57.12	873.12	979.00	68.53	1,047.53
Columbarium	969.00	67.83	1,036.83	1,163.00	81.41	1,244.41
Veteran's Grave	441.00	30.87	471.87			
Two-Grave Lot	1,780.00	124.60	1,904.60	2,220.00	155.40	2,375.40
Two-Grave Lot - Eastlawn Section 15,16 (6 ft. burials only)	1,452.00	101.64	1,553.64	1,815.00	127.05	1,942.05
Three-Grave Lot - Woodland	2,658.00	186.06	2,844.06	3,325.00	232.75	3,557.75
Four-Grave Lot - Woodland Section 21,25 - Eastlawn Section 19	3,484.00	243.88	3,727.88	4,431.00	310.17	4,741.17
Four-Grave Lot - Woodland Section 15	6,437.00	450.59	6,887.59	8,042.00	562.94	8,604.94
Four-Grave Lot - Trinity	3,274.00	229.18	3,503.18	4,155.00	290.85	4,445.85
Mansion of Memories - Mausoleum Crypt	1,240.00	86.80	1,326.80	1,363.00	95.41	1,458.41

NOTE: 40% of Grave and Lot sales goes into Care & Maintenance
20% of Mausoleum Crypt sales goes into Care & Maintenance
15% of Columbarium and Cremorial sales goes into Care & Maintenance

JANUARY 3, 1995
(Cemeteries By-Law No. 8861)

	<u>Resident Realty Taxpayers</u>			<u>Non-Residents</u>		
		<u>G.S.T.</u>	<u>TOTAL</u>		<u>G.S.T.</u>	<u>TOTAL</u>
<u>OPENING AND CLOSING</u>						
6 ft. Adult	471.00	32.97	503.97	565.00	39.55	604.55
8 ft. Adult	634.00	44.38	678.38	734.00	51.38	785.38
6 ft. Child - case up to 24"	76.00	5.32	81.32	92.00	6.44	98.44
- case 25" - 42"	153.00	10.71	163.71	184.00	12.88	196.88
- case 43" - 60"	224.00	15.68	239.68	269.00	18.83	287.83
- case 61" - 72"	291.00	20.37	311.37	349.00	24.43	373.43
8 ft. Child - case up to 60"	260.00	18.20	278.20	312.00	21.84	333.84
- case 61" - 72"	311.00	21.77	332.77	373.00	26.11	399.11
Cremation	153.00	10.71	163.71	184.00	12.88	196.88
Cremorial	56.00	3.92	59.92	67.00	4.69	71.69
Columbarium	100.00	7.00	107.00	120.00	8.40	128.40
Mansion of Memories -New Crypts only	388.00	27.16	415.16	465.00	32.55	497.55

LOWERING (Includes Opening, Removal, Lowering, Closing)

<u>Adult</u>			
From 6 ft. to 8 ft. - Shell	1,820.00	127.40	1,947.40
From 6 ft. to 8 ft. - Crypt or Vault	1,515.00	106.05	1,621.05
<u>Child</u>			
From 6 ft. to 8 ft. - Shell	646.00	45.22	691.22
From 6 ft. to 8 ft. - Crypt or Vault	542.00	37.94	579.94

REMOVALS

<u>Adult</u> - Shell	1,656.00	115.92	1,771.92
- Concrete Vault or Crypt	1,352.00	94.64	1,446.64
<u>Child</u> - Shell	572.00	40.04	612.04
- Concrete Vault or Crypt	468.00	32.76	500.76
<u>Cremation</u>	153.00	10.71	163.71

ADDITIONAL SERVICES

CRYPTS

Youth	308.00	21.56	329.56
Intermediate	330.00	23.10	353.10
Oversize	350.00	24.50	374.50

MISC.

Supply, install and maintain flower bed to max.three grave charge-per grave	102.00	7.14	109.14
Tent in cemetery	141.00	9.87	150.87
Rental of tent outside Cemetery	192.00	13.44	205.44
Transfer fee	41.00	2.87	43.87
Bronze Memorial Plaque for Cremorial	128.00	8.96	136.96
Bronze Memorial Plaque for Columbarium Niche	287.00	20.09	307.09
Companion Vase for above Plaque	56.00	3.92	59.92
Memorial Tree Planting-Tree, 12x10 Stone,8x6 Bronze Plaque-3 lines	357.00	24.99	381.99
Memorial Bench-8x5 Bronze Plaque - 3 lines	510.00	35.70	545.70
Flower Pot Hanger	15.00	1.05	16.05
Family Tree Research - Per Name	2.00	.14	2.14

JANUARY 3, 1995
(Cemeteries By-Law No. 8861)

	<u>Resident Realty Taxpayers</u>			<u>Non-Residents</u>		
<u>FOUNDATIONS AND MARKERS</u>		<u>G.S.T.</u>	<u>TOTAL</u>		<u>G.S.T.</u>	<u>TOTAL</u>
*Foundation - pouring per square inch of surface area (to be poured six feet deep)						
	.96	+7%		1.15	+7%	
*Marker Setting Fee						
12"x10" & Child's 18"x14" Flat Marker	75.00	5.25	80.25	90.00	6.30	96.30
Any other size Flat Marker (Maximum size 24" long x 18" wide) (4" minimum & 8" maximum thickness)	114.00	7.98	121.98	137.00	9.59	146.59
Bronze Vase	114.00	7.98	121.98	137.00	9.59	146.59
D.V.A. Upright or Flat	96.00	6.72	102.72			

REGULATIONS

Single In-A-Row Grave

A flat granite marker 24" in length and 18" in width or smaller, minimum 4" thickness.

Preferred Single Grave

Only a flat marker 24" in length and 18" in width is permitted, minimum 4" thickness.

Urn Garden Grave

Only a flat marker 12" in length and 10" in width is permitted, minimum 4" thickness.

Children's Grave

24" or less casket a flat marker 12" in length and 10" in width is permitted, min. 4".

Over 24" casket a flat marker 18" in length and 14" in width is permitted, min. 4".

Two-Grave Lot

Upright monument is allowed. Maximum length of base must not exceed 3'2" (38") and maximum width must not exceed 1'2" (14"). All bases must be at least 6" in height. The total over-all height of any memorial must not exceed 4' (48"). All memorial bases must have a projection of at least 3" on all sides from the edge of the die or cross. For safety reasons, 6" thick monuments must be pinned to the base as well as the foundation. All other monuments must be 8" in thickness. No vases, either cut into the monument or placed upon the monument will be allowed. No bronze plaques are permitted on upright monuments. (These regulations comply with recommendations made by the joint committee of OAC & OMBA.)

Three and Four-Grave Lot

Maximum base area not to exceed 10% of lot area. Total over-all height to be governed by base size for appearance and balance. All other regulations for Two-Grave Lot apply to Three & Four-Grave Lots as well.

***NOTE:** As per The Cemetery Act of April, 1993, Care & Maintenance charges will be added to those listed above.

The Corporation of the City of Hamilton

BY-LAW NO. 95-

**A BY-LAW TO ESTABLISH PROCEDURES
FOR SALES OF REAL PROPERTY OWNED BY THE CITY OF HAMILTON**

WHEREAS effective January 1, 1995 section 193 of the Municipal Act, R.S.O. 1990, Chapter M.45, was amended by the Planning and Municipal Statute Law Amendment Act, 1994 S.O. 1994, Chapter 23, to require municipalities to enact a by-law pursuant to and in accordance with the requirements of the amended section 193 and the Regulations prescribed thereunder by the Province, to establish procedures for the sales of real property owned by a municipality and a public register of the real property owned by a municipality;

AND WHEREAS Ontario Regulation 815/94 issued effective January 1, 1995, prescribes:

- (a) classes of real property and classes of real property purchasers where real property may be sold by a municipality exempt from the appraisal requirement of section 193 of the Municipal Act; and,
- (b) classes of real property which a municipality is not required to list in the municipality's Public Register of municipal real property;

AND WHEREAS section 193 of the Municipal Act states that the procedural by-law for real property sales by a municipality shall apply to all leases of real property to be entered into by the municipality as landlord for a term of 21 years or longer;

AND WHEREAS it is intended in this by-law to adopt procedures for the City's sales of its real property and for the City's leases of its real property for 21 years or longer, and for this purpose both sales and leases, 21 years or longer, are included in the definition of "sale" in this by-law.

NOW THEREFORE pursuant to section 193 of the Municipal Act, the Council of The Corporation of the City of Hamilton hereby enacts as follows:

1. In this by-law,

- (a) "Committee" means a standing committee of the Council of The Corporation of the City of Hamilton as defined in the City's Procedural By-law;
- (b) "real property", "property" or "land" means lands and premises or any proprietary interest in land which is owned or held by the City in fee simple or otherwise, including, without limiting the generality of the foregoing, all easements, rights-of-way and leasehold interests of the City, and lands owned under agreement of purchase and sale. Real property does not include personal property of the City. For greater certainty and not to restrict the generality of the foregoing definition, real property includes those lands of the City which are parks, parking lots, water lots, open space, buildings, land occupied by the Parking Authority and by the Hamilton Entertainment Facilities Centre Inc. and lands laid out or intended to be laid out as highways;
- (c) "sale" includes the sale, transfer or conveyance of real property by the City and includes leases by the City as landlord of real property for a term of 21 years or longer. Sale does not include a Quit Claim Deed made by the City for the purpose of correcting or clarifying title or boundaries of its real property or of real property not owned by the municipality.

2. Real property intended to be sold by The Corporation of the City of Hamilton shall be sold in accordance with the requirements of the Municipal Act and the provisions of this real property sales procedural by-law.

3. Prior to approving the sale of real property, Council shall have been satisfied,

- (a) that the real property intended to be sold is surplus to municipal requirements and, if so, Council shall by by-law or resolution passed at a meeting open to the public, declare the real property to be surplus;
- (b) that notice of the intended sale of real property by the City has been given to the public in accordance with the requirements of this by-law; and
- (c) that Council has received at least one appraisal of the fair market value of the real property intended to be sold.

4. Report

Prior to any consideration by Council or one of its standing committees of an intended real property sale, report(s) on the following matters shall be received:

- (a) as to whether or not the real property intended to be sold, is or is not surplus to the City's requirements;
- (b) as to the steps taken to give notice to the public of the intended sale in accordance with the Notice to public provisions of this by-law;
- (c) unless the real property intended to be sold is appraisal exempt, an appraisal of the real property's fair market value, including the date of the valuation of such appraisal, and, (where appraisal was not prepared by the Director of Property), the opinion of the Director of Property on the appraisal; and
- (d) the recommended terms of the intended real property sale, including a description of the real property, whether vacant or improved, the sale price, terms of payment, closing date and conditions of sale.

5. Surplus Real Property

(a) Real property of the City shall not be sold unless it is surplus to the requirements of the City.

(b) Surplus real property of the City is real property which, in the opinion of Council, is no longer required for municipal purposes in accordance with the City's plans, including its Official Plan and such other plan(s) as may be adopted by Council from time to time.

(c) For purposes of reporting to Council whether a real property intended to be sold is or is not surplus to the City, notice of the intended sale shall be circulated preferably one month, and in any event, at least prior to Council or one of its standing committees meets to consider the intended sale. Such notice shall be circulated to all City Departments, all entities and local boards performing City duties and, where Council directs, to such other persons, authorities or bodies corporate.

6. Notice to Public of Intended Sale of Real Property

- (1) Real property of the City shall not be sold until after notice to the public of the intended sale has been given in accordance with this by-law;
- (2) Notice to the public of every real property intended to be sold shall be given (subject to subsection 5 below) as follows:

- (a) Notice to the public shall be given at least once on a date which is not less than seven days prior to the consideration of the intended sale by Council or one of its standing committees;
 - (b) Notice to the public shall be given within Hamilton, and, in addition, notice may also be given in other municipalities;
 - (c) Notice to the public may be given in one or more of the methods permitted in this by-law, or any other means of communication which in the opinion of Council, acting reasonably and in good faith, is deemed to be appropriate in the circumstances in order to give notice to the public;
- (3) Notice to the public may be given by, but is not limited to, one or more of the following methods:
- (a) by advertisement of a Notice or a classified advertisement in a newspaper;
 - (b) by listing the real property with a broker and/or directly with the Multiple Listing Service of the Metropolitan Hamilton Real Estate Board;
 - (c) by posting on the real property intended to be sold, for not less than two weeks, a "For Sale" sign which includes the City's name and telephone number for inquiries;
 - (d) by registered mail; certified mail; courier; fax; personal service; flyers or by posting up a notice in the vicinity of the land to be sold for public viewing;
- (4) Where Notice to the public is to be given by advertisement of a Notice in a newspaper (other than as a classified advertisement), the City Clerk shall arrange publication of such notice as a "Notice to Citizens" of the intended sale of real property in accordance with the following requirements:
- (a) a "Notice to Citizens" of an intended real property sale shall be published at least once in the newspaper not less than seven days before and not more than three months prior to the date of any consideration by Council, or one of its standing committees, of the intended real property sale;
 - (b) a "Notice to Citizens" of the intended sale shall include:
 - (i) a description of the real property intended to be sold satisfactory to the Director of Property, which description may include an address, sketch, approximate dimensions and/or area, or any of them;
 - (ii) the date, time and location of the Council or name of the standing committee meeting at which the intended real property sale is to be considered;
 - (iii) a statement as to whether the real property is intended to be sold by tender, auction or agreement;
 - (iv) the relevant department's name and telephone number for inquiries;
 - (v) the statement that such notice of the intended sale of land is pursuant to section 193 of the Municipal Act;

- (5) Despite subsection (2) above, where real property intended to be sold is within one of the categories listed below, notice to the public shall be deemed sufficiently given by inclusion of the real property sale in the agenda of the Council at which the intended sale is to be considered by Council;
- (a) road widenings being sold to The Regional Municipality of Hamilton-Wentworth;
 - (b) underground easements being sold to public utilities, including The Regional Municipality of Hamilton-Wentworth, telephone companies and Union Gas Limited;
 - (c) land 0.3 metres or less in width being sold, including, but not limited to, land of such size that was acquired in connection with an approval or decision under the Planning Act.
- (6) Where a closed highway or a highway intended to be closed is also intended to be sold to the abutting property owner(s), or to a non abutting purchaser, Notices published in a newspaper pursuant to section 300 of the Municipal Act, (the highway sale provisions) shall be deemed to be notice to the public of the intended sale of such real property for purposes of this realty sales procedural by-law;
- (7) Where real property not owned by the City of Hamilton is being sold for realty tax arrears by the City pursuant to the Municipal Tax Sales Act, R.S.O. 1990, Chapter M.60, notices of the sale of such real property pursuant to that statute, shall be deemed to be notice to the public for purposes of this realty sales procedural by-law;
- (8) Where a property is being sold by public tender, call for proposals or public auction, advertisement(s) of notice of them shall be deemed to be notice to the public for purposes of this realty sales procedural by-law.

7. Appraisals

(a) Subject to subsection (b) below, before selling any real property, Council shall obtain at least one appraisal of the fair market value of the real property.

(b) Where a real property is exempted by Provincial Regulation from the appraisal requirement of section 193, the Municipal Act, a real property may be sold without an appraisal of its fair market value.

(c) For purposes of this by-law, an appraisal includes a written opinion on the appraised fair market value of real property as of a date which is within one year of the date of approval of an intended real property sale (or within such other time as is expressly accepted for a particular appraisal, by resolution, by Council), that is prepared by or is an appraisal satisfactory to, the Director of Property.

(d) Real property which may be sold by the City without a prior appraisal, because the real property is within one of the classes of real property designated by Provincial Regulation as exempt from the appraisal requirement of section 193 of the Municipal Act, are as follows:

1. Land 0.3 metres or less in width acquired in connection with an approval or decision under the Planning Act.
2. Highways, roads and road allowances.
3. Land formerly used for railway branch lines if sold to an owner of land abutting the former railway land.

4. Land that does not have direct access to a highway if sold to the owner of land abutting that land.
5. Land repurchased by an owner in accordance with section 42 of the Expropriations Act.
6. Land to be used for sites for the establishment and carrying on of industries and of industrial operations and incidental uses.
7. Land sold under Sections 112, 112.1, 112.2 and 113 of the Municipal Act.
8. Easements granted to public utilities or to telephone companies.
9. Land sold under the Municipal Tax Sales Act.

(e) Real property which may be sold by the City without a prior appraisal because the purchaser of the real property is within one of the classes of purchasers listed below, that have been designated by Provincial Regulation, are as follows:

1. Any municipality, including a metropolitan, regional or district municipality and the County of Oxford.
2. A local board as defined in the Municipal Affairs Act.
3. An authority under the Conservation Authorities Act.
4. The Crown in Right of Ontario or of Canada and their agencies.

8. Approval of Sale of Real Property

Where the steps required by section 193 of the Municipal Act and this by-law have been complied with for the City's intended sale of its real property, including a resolution or by-law of Council declaring the real property to be surplus,

- (a) a resolution of Council approving the sale, shall, (except where a by-law is expressly required by statute), be sufficient authorization of such sale;
- (b) the Clerk (or acting Clerk, if necessary) may sign and issue a "Certificate of Compliance" to verify matters in the form of such Certificate as prescribed by Provincial Regulation, (a copy of which prescribed form of Certificate is annexed hereto as Schedule "A");
- (c) as required by the Municipal Act, such Certificate shall be attached to the City's Transfer of the real property to the purchaser;
- (d) Subject to and in accordance with all normal and other approvals as may be required, being previously obtained, all documents required to carry out the real property sale, including the documents listed in subsection (e), shall be executed on behalf of The Corporation of the City of Hamilton by the Mayor and City Clerk, with the corporate seal affixed thereto (except, where the Mayor or Clerk is not available, in which case, by the Acting Mayor or Acting Clerk, as the case may be);
- (e) The documents to which subsection (d) refers, are: Offers to Purchase, Options to Purchase, Agreements of Purchase and Sale, Transfers, Deeds, Easements, Leases, and Authorities to Enter;

9. Public Register of Municipal Real Property

- (1) (a) A "Public Register of Municipal Real Property" shall (subject to subsection (b) hereof) be established and maintained listing and describing all real property:
 - (i) that is owned by the City in fee simple; and
 - (ii) that is leased to the City, (including all leases to the City, regardless of duration);
 - (b) The following classes of real property according to Ontario Regulation, need not be listed in the Public Register of real property:
 - (i) Land 3.0 metres or less in width acquired in connection with an approval or decision under the Planning Act;
 - (ii) All highways, roads and road allowances, whether or not opened, unopened, closed or stopped up;
 - (iii) Land formerly used for railway branch lines;
 - (c) The Public Register shall be filed with the Clerk, available for inspection by the public.
- (2) The Public Register shall be comprised of,
- (a) those portions of the last revised assessment roll of the area municipalities within Assessment Region No. 19, (being the Hamilton-Wentworth Region), prepared by the Assessment Commissioner, showing,
 - (i) all lands within Assessment Region No. 19 in which The Corporation of the City of Hamilton is listed as "Owner"; and
 - (ii) all lands within Assessment Region No. 19 in which The Corporation of the City of Hamilton is listed as "Tenant"; and
 - (b) including, but not limited to, the following properties,
 - (i) within the Township of Glanbrook, in The Regional Municipality of Hamilton - Wentworth, -- part of Lot 8, Concession 1, in the geographic township of Glanford, fronting on Twenty Road East, Glanbrook, comprising Mount Hamilton Cemetery and a portion of Turner Park;
 - (ii) within the City of Burlington, in The Regional Municipality of Halton -- LaSalle Park and Edgewater Park; and
 - (c) such further listings and descriptions of properties as may be required to record the real property of the City.

10. Administration

- (a) This by-law shall be administered by the Director of Property;
- (b) Where the real property intended to be sold is owned by the City on behalf of the Hamilton Civic Hospitals, the requirements of this by-law prior to Council's consideration of the intended sale of such real property, may be administered by the Hamilton Civic Hospitals;

11. This by-law,
- shall come into force effective January 1st, 1995 and apply to all real property sales approved by Council on or after that date;
 - does not apply to real property sales approved by Council prior to January 1, 1995.
12. The short title of this by-law is the " Real Property Sales Procedural By-law".

PASSED this day of

A.D. 1995

CITY CLERK

MAYOR

SCHEDULE "A"

to By-law No. 95-

CERTIFICATE OF COMPLIANCE

Certificate of Compliance with section 193 of The Municipal Act
in the sale or disposition of the real property described as:

(Description may be attached)

I hereby certify that:

1. The Municipality passed By-law _____ on _____ (date)

It is a procedural by-law for the purposes of the sale or other disposition of real property and was in force on the date of the sale or disposition of the property described above.

Delete if
not
applicable

2. The property was declared surplus under By-law or Resolution _____
enacted or passed on _____ (date):

Delete if
not
applicable

3. An appraisal of the fair market value of the property was obtained on _____ (date).

Delete if
not
applicable

4. The property sale or disposition is exempt from the requirement to obtain an appraisal of its fair market value under the following exemption:

Delete if
not
applicable

5. Public notice of intent to sell or dispose of the property was given by the following method(s):

[describe method(s)]

on the following date(s) _____.

(Signature)_____
(date)

_____, City Clerk
of The Corporation of the City of Hamilton

BY-LAW NO. 95 -

**TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF
THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 14TH DAY OF
FEBRUARY, A.D., 1995.**

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 14th day of February A.D. 1995

CITY CLERK

MAYOR

URBAN/MUNICIPAL
CAY ON HBL AOS
A31
1995



The Urban/Municipal Collection
2nd Floor
Hamilton Public Library
+ Bill

**MEETING OF THE COUNCIL
OF THE CORPORATION OF THE CITY OF HAMILTON**

**Tuesday, 1995 February 28
7:30 o'clock p.m.
Council Chambers, City Hall**

URBAN MUNICIPAL

FEB 27 1995

GOVERNMENT DOCUMENTS

**S. G. Hollowell
Acting City Clerk**

A G E N D A

- 1. National Anthem.**
- 2. Opening Prayer:**

**Pastor Ron Sikkema
First Reformed Church**
- 3. Presentation of Proclamation to Canada to Mayor R. Morrow.**
- 4. Proclamation:**

"Red Cross Month - March 1995"
- 5. Adoption of the minutes from the meeting held 1995 February 14.**
- 6. Correspondence.**
- 7. Reports of the Standing Committees:**
 - (b) Parks and Recreation Committee**
 - (c) Planning and Development Committee**
 - (d) Finance and Administration Committee**
 - (e) Nominating Committee**

FEB 28/95

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Council Agenda
1995 February 28

- 8. *Notices of Motion from previous meeting.***
 - (a) Mayor R. Morrow - GTA**
 - (b) Alderman D. Wilson - Election to Higher Office**
- 9. *Notices of Motion for next meeting.***
- 10. *First Reading of the Bills.***
- 11. *Second Reading of the Bills - Committee of the Whole.***
- 12. *Third Reading of the Bills.***
- 13. *Question Period.***
- 14. *Adjournment.***

MINUTES

Minutes of Hamilton City Council
Tuesday, 1995 February 14
7:30 o'clock p.m.
Council Chamber, City Hall

The Council met:

Present: Mayor R. M. Morrow
Aldermen Kiss, Agro, McCulloch, Morelli, Drury, Copps, Wilson, Agostino,
Eisenberger, Jackson, Charters, Merling, Anderson, Ross, D'Amico.

Absent: Alderman Caplan - vacation

Mayor R. M. Morrow called the meeting to order.

* * * * *

The National Anthem was sung by Meaghan Curran.

* * * * *

Pastor Jacques Fortin, Notre Dame Perpetual Secours Church led Council in prayer.

PROCLAMATION

Mayor R. Morrow proclaimed February 15th as Canadian National Flag Day.

ADOPTION OF MINUTES

The minutes of the meeting held 1995 January 31 were adopted as circulated.

CORRESPONDENCE

1. Application dated 1995 February 9 from Stanlow Holdings Ltd. and Steinnagel Construction Ltd., (Arno Steinnagel) and Robert Shelley Construction Ltd., (Robert Shelley) for changes in zoning from "AA" (Agricultural) District to "A" (Conservation, Open Space, Park and Recreation) District for Block "1", "R-4" (Small Lot Single-Family Dwelling) District for Block "2", and "C" (Urban Protected Residential, etc.) District for Block "3", for lands located at the rear of No. 50 Miles Road, Hamilton, Ontario.

Received.

2. Application dated 1995 February 1 from P. Hatzoglou, P. Zourntos, J. Zourntos, A. Tuite, P. Mancini for a change in zoning from "G-4" (Designated Neighbourhood Shopping Area) District, modified to "HH" (Restricted Community Shopping and Commercial) District, modified, for lands located at No. 30 Rymal Road East, Hamilton, Ontario.

Received.

3. Application dated 1995 February 1 from 603976 Ontario Ltd. (Dan Valentini) c/o Terra Homes, Hamilton, Ontario for removal of the "H" Holding Provision from the "C" (Urban Protected Residential, etc.) District for lands located in the area east of Upper James Street and north of Chipman Avenue, Hamilton, Ontario.

Received.

4. Letter dated 1995 February 9 from Mr. Gerald Cunningham, 1 Fairholt Road North, Apartment 4, Hamilton, Ontario appealing the decision of the Licensing Committee with respect to his denial of a cab drivers licence.

Received.

5. Letter dated 1995 February 13 from the Regional Clerk's Office advising of the establishment of a Constituent Assembly on the Municipal Government System in Hamilton-Wentworth and requesting the City as one of the six area municipalities to nominate a citizen for membership.

Referred to the Finance and Administration Committee.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Copps that the Reports of the Transport and Environment Committee, the Planning and Development Committee, the Finance and Administration Committee, and the City of Hamilton Licensing Committee be considered in Committee of the Whole with Alderman Eisenberger in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: -0.

CARRIED.

TRANSPORT AND ENVIRONMENT COMMITTEE - THIRD REPORT

Section 2 Re: Parking Permits - Webber Avenue

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -15.

NAYS: Alderman Copps. -1.

CARRIED.

PLANNING AND DEVELOPMENT COMMITTEE - SIXTH REPORT

Section 4 Re: Ontario Home Renewal Program Fund

It was moved by Alderman Agostino and seconded by Alderman Drury that Section 4 of the Sixth Report of the Planning and Development Committee be amended by adding the following as sub-section (d):

- (d) That City Council review its position on this matter in three months time and that a report be sent to the May 3rd Planning and Development Committee meeting concerning the status of the account. **CARRIED.**

Recorded vote on amendment.

YEAS: Mayor Morrow, Aldermen Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -15.

NAYS: Alderman Kiss. -1. **CARRIED.**

* * * * *

Section 4 as amended Re: Ontario Home Renewal Program Fund

Recorded vote.

YEAS: Mayor Morrow, Aldermen Agro, McCulloch, Drury, Morelli, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -13.

NAYS: Aldermen Kiss, Copps, Wilson. -3. **CARRIED.**

* * * * *

Section 11 Re: American Planning Association/Canadian Institute of Planners Joint Annual Conference - Toronto, Ontario

It was moved by Alderman Drury and seconded by Alderman D'Amico that the following be added as Section 11 of the Sixth Report of the Planning and Development Committee for 1995:

11. That the Chairperson of the Planning and Development Committee, or his designate, be authorized to attend the American Planning Association/Canadian Institute of Planners Joint Annual Conference to take place on 1995 April 8 to April 12 in Toronto, Ontario; and that costs for attendance be charged to Account No. CH55201-10010 (Legislative Travel). **CARRIED.**

FINANCE AND ADMINISTRATION COMMITTEE - FIFTH REPORT

Section 9 Re: Development Charges By-law - Public Meeting

It was moved by Alderman Charters and seconded by Alderman Jackson that Rule No. 8 of the City's Procedural By-law No. 82-203 be invoked for this meeting of City Council in order to allow consideration of a recommendation respecting authorization to hold a Public Meeting on the new Development Charges By-law. **CARRIED.**

Section 9 Re: Development Charges By-law - Public Meeting

It was moved by Alderman Charters and seconded by Alderman Jackson that the following be added as Section 9 of the Fifth Report of the Finance and Administration Committee for 1995:

9. (a) That City Council hold a public meeting on 1995 March 9 respecting a new Development Charges By-law; and,
- (b) That the City Clerk be authorized and directed to give notice of the Public Meeting for the purpose of a new Development Charges By-law. The notice shall be in accordance with Section 8 of Ontario Regulations 725/89 made under the Development Charges Act, 1989. **CARRIED.**

CITY OF HAMILTON LICENSING COMMITTEE - FIRST REPORT

RECONSIDERATION OF A RESOLUTION

(resolution from 1995 January 31 - Nominating Committee)

It was moved by Alderman Wilson and seconded by Alderman Merling that Section 6 of the Second Report of the Nominating Committee respecting the appointment of members to the Hamilton Hydro Electric Commission, adopted by City Council on 1995 January 31, be reconsidered. **CARRIED.**

It was moved by Alderman Wilson and seconded by Alderman Merling that Section 6 of the Second Report for 1995 of the Nominating Committee respecting the appointment of Mr. Robert L. Misener to the Hamilton Hydro Electric Commission be amended by deleting the words "1998 January 31" and inserting in lieu thereof the words "1997 January 31".

RESOLUTIONS

It was moved by Alderman Ross and seconded by Alderman D'Amico that Rule 8 of the City's Procedural By-law be invoked in order to allow consideration of a resolution extending congratulations to the new Governor-General, and inviting him to visit the City of Hamilton

It was moved by Alderman Ross and seconded by Alderman D'Amico

- (a) That the City of Hamilton extend its heartfelt congratulations and loyalty to our new Governor-General - His Excellency The Right Honourable Romeo Leblanc; and,
 - (b) Further, that the Governor-General be invited to visit Hamilton at his earliest convenience.
- CARRIED.**

* * * * *

It was moved by Mayor Morrow and seconded by Alderman Agostino that Rule No. 8 of the City's Procedural By-law be invoked in order to allow consideration of a resolution respecting the hosting of a dinner for the G7 Environment Ministers.

CARRIED.

It was moved by Mayor Morrow and seconded by Alderman Agostino that the Council very warmly invite the Honourable Sheila Copps to host a dinner in the Dundurn Castle Dining Room for the G7 Environment Ministers during their historic meetings in Hamilton in April of 1995.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -11.

NAYS: Aldermen McCulloch, Drury, Morelli, Wilson. -4.

CARRIED.

It was moved by Alderman Ross and seconded by Alderman Eisenberger that Rule No. 8 of the City's Procedural By-law be invoked to allow consideration of a resolution respecting the closing of the Mount Hope Weather Station. **CARRIED.**

It was moved by Alderman Ross and seconded by Alderman D'Amico that City Council petition the Federal Government to reconsider the closing of the Mount Hope Weather Office. **CARRIED.**

NOTICES OF MOTION FROM PREVIOUS MEETING

Alderman H. Merling - Planning Services
Alderman V. Agro - Annexation
Mayor R. Morrow - Region Wide Tax Base

It was moved by Alderman Agro and seconded by Alderman Copps

- "WHEREAS the City of Hamilton is surrounded by the Area Municipalities of Stoney Creek, Glanbrook, Ancaster, Dundas and Flamborough, and
- WHEREAS the City of Hamilton has no room whatsoever in which to grow, and is virtually boxed-in by these five area municipalities, and
- WHEREAS these five municipalities continue to grow and expand with the eventual result of creating 6 competing area municipalities for this region and that this divisiveness will not only be counterproductive, but will result in a serious dilution of the effectiveness of this region, and
- WHEREAS it is critical that the Hamilton Area be allowed to grow and prosper in order to compete with other cities during these increasingly competitive times,
- THEREFORE be it resolved that staff investigate the "feasibility of" and the "procedures involved" to annex both Glanbrook and Flamborough".

Recorded vote.

YEAS: Aldermen Agro, Copps. -2.

NAYS: Aldermen Kiss, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross. - 10. **LOST.**

* * * * *

It was moved by Alderman Merling and seconded by Alderman Anderson:

"That the arrangement with the Region of Hamilton-Wentworth for the City's planning service, as it currently exists, be discontinued.

That the City of Hamilton provide its own planning and related development services directly.

That staff, under the direction of the Chief Administrative Officer, submit the appropriate implementation plan for the direct service provision, minimizing any negative impact on the current employees and the budget of both corporations, for the March meeting of the Planning and Development Committee."

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, Drury, Morelli, Copps, Agostino, Charters, Jackson, Merling, Anderson, D'Amico. -12.

NAYS: Aldermen Wilson, Eisenberger, Ross. -3.

CARRIED.

* * * * *

It was moved by Mayor Morrow and seconded by Alderman Agostino that the City of Hamilton seek to create a single region-wide tax base in the Regional Municipality of Hamilton-Wentworth. This is deemed to be of absolute necessity for the City itself and of equal benefit to all parts of the Region. **CARRIED.**

<p>NOTICES OF MOTION</p>

Alderman Wilson gave notice that he would move at the next regular meeting of City Council the following motion:

"That any member of City Council who seeks election to higher office be required to resign their seat once they are officially nominated as a candidate".

* * * * *

Mayor Morrow gave notice that he would move at the next meeting of City Council the following motion:

"That the City of Hamilton seek entrance to the GTA".

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Copps that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Planning and Development Committee, the Finance and Administration Committee, and the City of Hamilton Licensing Committee, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: -0.

CARRIED.

BILLS

It was moved by Alderman Kiss and seconded by Alderman Copps that the following Bills be read a first time:

A-15, A-16.

C-12, C-13, C-14, C-15, C-16, C-17, C-18, C-19.

D-13, D-14, D-15.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -13.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Copps that Council move into Committee of the Whole to consider the following Bills, with Alderman Eisenberger in the chair. (second reading).

A-15, A-16.
C-12, C-13, C-14, C-15, C-16, C-17, C-18, C-19.
D-13, D-14, D-15.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -13.

NAYS: -0.

CARRIED.

* * * * *

Consideration of the Bills (second reading).

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Copps that the Report of the Committee of the Whole on the following Bills, be adopted:

A-15, A-16.
C-12, C-13, C-14, C-15, C-16, C-17, C-18, C-19.
D-13, D-14, D-15.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -13.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Copps that the following Bills, be now read a third time, signed, sealed and enrolled as By-laws:

A-15, A-16.
C-12, C-13, C-14, C-15, C-16, C-17, C-18, C-19.
D-13, D-14, D-15.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -13.

NAYS: -0.

CARRIED.

* * * * *

City Council then adjourned at 10:40 o'clock p.m.

* * * * *

Taken as read and approved.

MAYOR R. M. MORROW

J. J. Schatz, City Clerk
1995 February 14

CORRESPONDENCE

Correspondence

1. Letter dated 1995 February 22 from Mr. T. Cooke, Regional Chairman respecting Cities for Climate Protection Campaign.

Recommendation: **Be Referred to the Transport and Environment Committee.**

2. Letter dated 1995 February 23 from Ms. Lynda Sohal, Regional Clerk's Office respecting Sewer Laterals - Ownership and Maintenance.

Recommendation: **Be Referred to the Transport and Environment Committee.**

3. Letter dated 1995 February 23 from Ms. Lynda Sohal, Regional Clerk's Office respecting Leaf and Yard Waste Management.

Recommendation: **Be Referred to the Transport and Environment Committee.**

4. Application dated 1995 February 22 from Thomas S. Loth, Hamilton, Ontario for a modification to the established "C" (Urban Protected Residential, etc.) District for 207 Fairleigh Avenue South, Hamilton, Ontario.

Recommendation: **Be Received.**



THE REGIONAL MUNICIPALITY
OF HAMILTON - WENTWORTH

1.

OFFICE OF THE CITY CLERK

FEB 23 1995

REC. BY SGH DATE _____

REF'D. TO _____ DATE _____

REF'D. TO _____ DATE _____

REF'D. TO _____ DATE _____

ACTION: _____

February 22, 1995

Dear Municipal Clerk:

Regional Council, at its meeting of January 24, 1995, adopted the Canadian Declaration on Climate Change on the Urban Environment that was developed by the Federation of Canadian Municipalities and the International Council for Local Environmental Initiatives. The Region will now be developing a local action plan to reduce air emissions and greenhouse gases.

When Regional Council adopted the Declaration, it also requested that the area municipalities be encouraged to sign and participate in the agreement. A copy of the Council report is enclosed for your consideration.

If you require any additional information when considering this matter, please contact Beth Goodger of the Environmental Services Department at 546-5427.

Yours very truly,

Terry Cooke
Regional Chairman

Encl.



REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

Office of the Clerk

Robert C. Prowse, Clerk
Michael A. Rallo, Deputy Clerk

1. Cities for Climate Protection Campaign (ENV-95-002/PLA-95-001)

- a) That the *Canadian Declaration on Climate Change and the Urban Environment*, as developed by the Federation of Canadian Municipalities and the International Council of Local Environmental Initiatives, be adopted which commits to the development of a "local action plan" to reduce air emissions and greenhouse gases, reduce energy use and emissions associated with municipally controlled buildings and vehicles, and undertake initiatives to change public attitudes;
- b) That a copy of Report ENV 95-002 and the signed declaration be forwarded to the President of the Canadian Federation of Municipalities;
- c) That a copy of Report ENV 95-002 be forwarded to the six area municipalities and they be encouraged to sign and participate in the agreement.

I hereby certify the foregoing
to be a true copy of Item 1 of
Report 1-95 of the Chairman's Report
which was approved by Regional Council on
January 24, 1995.

Dated at the City of Hamilton this ^{22nd} day of
February, 1995.

Michael A. Rallo
Deputy Clerk



THE REGIONAL MUNICIPALITY
OF HAMILTON - WENTWORTH

Office of the Chairman

Adopted by the Council of

THE REGIONAL MUNICIPALITY OF HAMILTON-
WENTWORTH

On the date of

TUESDAY, JANUARY 24, 1995



Signature

Terry Cooke

Name of Contact

Regional Chairman

Title

(905) 546-4200

Telephone Number

(905) 546-2340

Fax Number

REGION OF HAMILTON-WENTWORTH

-RECOMMENDATION-

DATE: January 6, 1995
CMPP E. Goodger (Y63.2)


REPORT TO: Members of Regional Council

FROM: Regional Chairman
Terry Cooke

SUBJECT: Cities for Climate Protection Campaign (ENV-95-002/PLA-95-001)

RECOMMENDATION:

- a) That the *Canadian Declaration on Climate Change and the Urban Environment*, as developed by the Federation of Canadian Municipalities and the International Council of Local Environmental Initiatives, be adopted which commits to the development of a "local action plan" to reduce air emissions and greenhouse gases, reduce energy use and emissions associated with municipally controlled buildings and vehicles, and undertake initiatives to change public attitudes;
- b) That a copy of Report ENV 95-002 and the signed declaration be forwarded to the President of the Canadian Federation of Municipalities;
- c) That a copy of Report ENV 95-002 be forwarded to the six area municipalities and they be encouraged to sign and participate in the agreement.


Terry Cooke

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The development of initiatives under the Climate Protection Campaign would be carried out through existing programs within the Planning Department and Transportation/Environmental Services Group.

Cont'd...

Cities for Climate Protection Campaign

SUSTAINABLE COMMUNITY IMPLICATIONS:

(Vision 2020, adopted by Regional Council as their vision for the future of Hamilton-Wentworth, embodies the concept of a sustainable community which is an equal balance of the economy, the environment, and social/health factors in all regional decision-making.)

There is scientific evidence that increasing amounts of greenhouse gases¹ in the atmosphere will result in global warming which means changes in the climate such as increased temperatures, changes in precipitation levels, wind patterns, and ocean circulation. These changes can have environmental, social, and economic impacts if efforts are not taken to control the net emissions of greenhouse gases.

For example, scientists predict that the climate changes will result in lower water levels in the Great Lakes. Potential impacts for Hamilton-Wentworth could include changes to the local environment, reduced usage of Hamilton Harbour for shipping and resulting loss of jobs in the shipping sector and changes in manufacturing costs due to use of alternate transportation modes for raw materials.

The impacts of climate change can be mitigated through action at all levels including municipalities. Municipal governments play an important role because urban areas are major sources of greenhouse gases. Planning and policy making at the Regional level shapes the urban form and influences local energy intensity, the amount of energy each person consumes annually. Municipalities can also lead by example by examining their own operations in areas such as procurement policies, energy use in its buildings and fleet management.

Endorsement of the Canadian Declaration on Climate Change and the Urban Environment is consistent with Vision 2020 and is considered to be a reinforcement of goals that have already been set by the Region. The following Vision 2020 goals are in support of the Declaration:

- ensure the Region has the best air quality of any major urban area in Ontario by the year 2000, as determined by the Ministry of Environment and Energy
- reduce and virtually eliminate hazardous waste
- reduce the consumption of non-renewable energy sources
- develop a system of interconnected and protected natural areas
- curb urban sprawl and suburban encroachment

¹Greenhouse gases, such as water vapour, carbon dioxide, methane, and nitrous oxide, are present in the earth's atmosphere. The atmosphere keeps the earth warm by allowing energy from the sun to reach the earth's surface, where it is absorbed and re-emitted as heat. Greenhouse gases trap some of this heat and prevent it from escaping into space. Although these gases are necessary for life on the earth, increasing amounts are increasing the average temperatures and causing global warming.

Cities for Climate Protection Campaign

SUSTAINABLE COMMUNITY IMPLICATIONS: (Cont'd)

- encourage only that development which makes efficient, and economical use of infrastructure and services
- reduce commuting distances
- encourage, promote, and facilitate everyday use of alternative movement, such as, walking, bicycling, and public transit
- develop an integrated sustainable transportation system for people, goods, and services

BACKGROUND:

The Federation of Canadian Municipalities (FCM) and the International Council for Local Environmental Initiatives (ICLEI) are encouraging municipalities to sign the Canadian Declaration on Climate Change and the Urban Environment. The Declaration is a six page document (copy attached) which acknowledges the need to reduce greenhouse gas emissions, local government's role in addressing the problem and commits the signing municipality to:

- develop an action plan to reduce local emissions of greenhouse gases;
- reduce energy use and emissions associated with municipally controlled buildings and vehicles; and
- undertake initiatives to change public attitudes and behaviour.

The Declaration has no set requirements or elements, leaving flexibility to develop an action plan that is best suited to the municipality. For the Region, signing of the Declaration would give formal recognition to actions that it is already taking in these areas. As a signatory, the Region would also be entitled to receive a basic framework on planning and management for climate change issues, information from other local authorities taking similar actions, the opportunity to join pilot projects and network with municipalities at workshops and conferences.

The Declaration outlines several carbon dioxide (CO₂) strategies that can be used to reduce energy intensity and CO₂. These strategies are listed in the following table along with the initiatives that the Region is already taking in these areas.

Cont'd...

Cities for Climate Protection Campaign

Declaration Strategy	Regional Initiative
Urban Form and Greenspace Management	Regional Council adopted a new Official Plan in June 1994 which provides policy direction to promote a compact/diverse urban form and manage natural areas and resources in a manner which respects ecological processes and sustainability.
Buildings	Some energy retrofits have already been done and other opportunities are being explored through the Comprehensive Municipal Pollution Prevention (CMPP) Project. The goal of this Project is to develop a pollution prevention implementation plan to ensure that the Region's own house is in order.
Electric and Gas Utilities and Utility Regulation	Not within Regional Government jurisdiction. Presently working with local utilities to explore opportunities.
Transportation	A Transportation Review is currently underway by Public Transit to provide direction to balance Regional spending between roads, parking, public transportation, pedestrian and bicycling facilities. A Bicycle Commuter Study has also been completed which sets out a master plan for developing a bicycle transportation network. The plan was endorsed by Council and is now being implemented.
Waste and Resource Management	Household Hazardous Waste Program; as part of the new waste management system contract: leaf and yard waste composting, collection and recovery of CFCs.
Procurement Policies	Conversion of Hamilton Street Railway Fleet to natural gas. Other areas are being addressed as part of the CMPP Project.
Education and Training	Region's partnership in the Green Community Initiative. This community based effort will encourage citizens, schools and small businesses to practise energy and water conservation, and waste reduction.
Advocacy at Provincial and National Levels	Region has taken on a leadership role through its involvement in initiatives such as the Agenda 21 Model Community Program and the CMPP Project.

Hamilton-Wentworth took on an important leadership role for other local jurisdictions when it was recognized as a Local Agenda 21 Model Community in November 1993. The Region's efforts in environmental protection were again recognized in December 1994 when it was awarded the Municipal Canadian Environmental Achievement Award by Environment Canada. The Region is establishing itself as a global leader in the development of a sustainable community by taking action to achieve its goals as set out in Vision 2020.

CEAG/
Attach.



REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

Office of the Clerk

Robert C. Prowse, Clerk
Michael A. Rallo, Deputy Clerk

February 23, 1995

Mr. Joseph J. Schatz
Clerk
City of Hamilton
71 Main Street West
2nd Floor
Hamilton, Ontario
L8N 3T4

OFFICE OF THE CITY CLERK	
FEB 23 1995	
REC. BY <u>SGH</u>	DATE
REF'D TO	
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ACTION	

Dear Mr. Schatz:

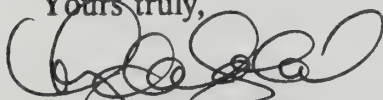
Regional Council at its meeting held on Tuesday, February 21, 1995, approved Item 13 of the Environmental Services Committee Report 3-95, as follows:

13. Sewer Laterals - Ownership and Maintenance (ENV 95-018)

- a) That the Senior Director of Environmental Services be authorized and directed to prepare a detailed review of Option 2, as outlined in Report ENV 95-018, and report back to the Environmental Services Committee;
- b) That the Senior Director of Environmental Services be authorized and directed to develop an appropriate method of payment for work done by contractors and report back to the Environmental Services Committee;
- c) That the City of Hamilton continue to be responsible for costs related to tree root damage/blockage from a City tree. **Item 4.16**

It would be appreciated if the above-noted recommendation and attached report could be forwarded to the appropriate Standing Committee for their information. Should you require further information with respect to this item, please do not hesitate to contact our office.

Yours truly,


Lynda Sohal (Ms.)
Legislative Assistant

LS/
attach.

4.16

**REGION OF HAMILTON-WENTWORTH
- RECOMMENDATION -**

DATE: January 31, 1995
E.S.C. File - L. Gohier

REPORT TO: Chairman and Members
Environmental Services Committee

FROM: P. J. Halliday
Senior Director
Environmental Services

SUBJECT: Sewer Laterals - Ownership and Maintenance ENV 95-018

RECOMMENDATIONS:

- a) That Option 2, as outlined in Report ENV 95-018, be adopted in principle;
- b) That the Senior Director of Environmental Services be authorized and directed to prepare a detailed review of Option 2, as outlined in Report ENV 95-018, and report back to the Environmental Services Committee;
- c) That the Senior Director of Environmental Services be authorized and directed to develop an appropriate method of payment for work done by contractors and report back to the Environmental Services Committee;
- d) That the City of Hamilton continue to be responsible for costs related to tree root damage/blockage from a City tree.


P. J. Halliday

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Not applicable at this time.

SUSTAINABLE DEVELOPMENT IMPLICATIONS:

(Vision 2020, adopted by Regional Council as their vision for the future of Hamilton-Wentworth, embodies the concept of a sustainable community which is an equal balance of the economy, the environment, and social/health factors in all regional decision-making).

Cont'd. . . .

Sewer Laterals - Ownership and Maintenance

Cont'd. . . .

BACKGROUND:

In July 1994, Environmental Services presented a private drain report specifically on 56 East 36th Street, Hamilton (ENV 94-087). The Environmental Services Committee subsequently requested a policy report on the overall issue of ownership and maintenance of private drains.

A sewer lateral is known under two different names depending upon which section is referred to:

- private drain: the length of pipe from the Regional sewer in the street or right-of-way to the property line, and
- yard sewer: the length of pipe from the property line to the building being serviced.

There are two basic issues that must first be addressed in the review of sewer laterals:

- the ownership issue: the perception that the Region is responsible for the operation and maintenance of the entire sewer lateral since it offers sewer services.
- the financial issue: the perception that the public is entitled to sewer lateral maintenance by the Region since they pay a sewer surcharge as part of their water bill.

OWNERSHIP ISSUE:

Other Utilities:

Some confusion exists with respect to ownership and responsibility for sewer laterals as a result of what other utilities provide as a level of service:

- Hydro:

Hydro provides service and maintenance up to and including ownership of the hydro meter. The user is then responsible for all repairs and maintenance costs of the internal wiring, including the wiring that leads up to the plug-ins, the plug-ins themselves, and the appliances that he/she wishes to use.

Cont'd. . . .

Sewer Laterals - Ownership and Maintenance

Cont'd. . . .

- Telephone:

Bell provides service and maintenance up to the jacks that they install inside a building, including the wiring leading up to those jacks, and those phone(s) that they rent. The user is then responsible for all repair and maintenance costs of any other wiring, plug-ins and "appliances" (e.g. faxes, phones, computers, etc.) that he/she installs him/herself.

- Cable TV:

Cable TV companies provide service and maintenance up to the outlets that they install inside a building, including the wiring leading up to those outlets and those device(s) that they install, rent, or provide. The user is then responsible for all repair and maintenance costs of all other wiring, plug-ins, and "appliances" (e.g. televisions, stereos, etc.) that he/she installs him/herself.

- Natural Gas:

Gas companies provide service and maintenance of the gas main in the public right-of-way, as well as the gas service from that main, generally right up to the owner's appliances. The owner is then responsible for repair and maintenance of all appliances they wish to connect to that gas service.

The Environmental Services Department operates water and sewer utilities as per the Municipal Act, and does not provide services up to and inside buildings like the other utilities. We provide water and sewer services in two different and distinct manners:

- Water:

The Region provides service and maintenance on the public right-of-way (usually the street) in the form of a watermain as well as provides a water service and maintenance of that service up to the property line, while the owner is responsible for the service pipe from the property line to the water meter. The Region is responsible for the water meter, and the owner is responsible for all internal plumbing and "appliances" connected after the water meter. This is the way most municipal and regional governments operate, subject to their particular mandate. Furthermore, any pipe within the building and up to the property line outside the building falls under the Building Code, and therefore installation is not inspected by Regional forces.

Cont'd. . . .

Sewer Laterals - Ownership and Maintenance

Cont'd. . . .

- Sewer:

The Region provide services and maintenance on the public right-of-way (usually the street) in the form of a sewer, while the owner is responsible for the entire sewer lateral from this sewer to the building in question, including all maintenance and operating costs (except for those exceptions made under the notwithstanding clause in the Regional By-law). The property owner is also responsible for all internal plumbing and "appliances" connected to that service. Furthermore, any pipe within the building and up to the property line outside the building falls under the Building Code, and therefore installation is not inspected by Regional forces.

The average sewer lateral is 20 meters in length, i.e. 10 meters on the road allowance and 10 meters on private property. Based on an estimated 90,000 sanitary services in the Region and 30,000 storm services in the City of Hamilton, this would represent an additional 2 400 kilometres of infrastructure to be maintained in perpetuity (as well as all new sewer laterals to be built) should the Region decide to take ownership of sewer laterals. The Region currently owns and operates an estimated 2 200 kilometres of sewers. To take over ownership of sewer laterals would then result in more than doubling the Regional sewer inventory.

Other Municipal Utilities:

An extensive telephone survey was carried out of 11 regional municipalities and 30 local municipalities across the province of Ontario, with populations in excess of 70,000 persons. Their mandates with respect to water and sewer utilities varied, therefore, the number of responses was not always consistent. However, their responses to specific questions with respect to sewer laterals were relatively consistent as one can see from the following summary table:

Cont'd. . . .

Sewer Laterals - Ownership and Maintenance

Cont'd. . . .

ISSUE:	REGION/CITY:	OWNER:
Responsibility for cleaning -		
a) storm sewer laterals		
i) portion within road allowance	22	7
ii) portion on private property	1	26
b) sanitary sewer laterals -		
i) portion within road allowance	22	7
ii) portion on private property	2	27
Responsibility for repairs -		
a) storm sewer laterals		
i) portion within road allowance	25	5
ii) portion on private property	-	30
b) sanitary sewer laterals -		
i) portion within road allowance	25	5
ii) portion on private property	1	29

There are some 200 footnotes that accompanied this survey, in order to clarify more precisely the answers provided. However, the table does reflect in a general way the position taken by these municipal utilities.

Current Regional Sewer By-law:

The Regional Sewer and Drain By-law R79-172, as amended, clearly states that the owner is responsible for all repairs, maintenance, and replacement of any yard sewer and private drain connected to his/her property. In other words, the sewer lateral is, in its entire length, i.e. yard sewer and private drain, under the ownership of the property owner.

There is, however, a "notwithstanding" clause in the By-law that states that the Region may pay expenses incurred by the owner in the repair of a break in the private drain. Legal counsel advised us that this section is permissive, and therefore does not obligate the Region to pay and allows the Region to define "break". In the past, staff have consistently defined "broken" to mean collapsed and interrupting the flow. Any other definition would have a

Cont'd. . . .

Sewer Laterals - Ownership and Maintenance

Cont'd. . . .

significant impact on the Department's budget with respect to repairing broken private drains.

FINANCIAL ISSUE:

An issue of financial concern is that, because of the age of the infrastructure, the number of sewer laterals requiring major repairs have been increasing in the last few years. Regional expenditures made under the notwithstanding clause in the By-law therefore have also increased. It should be noted that these substantial expenditures are for a very small and limited focus of responsibility: repairs to the private drain portion only and only for those that are considered broken. This upward trend is illustrated in the following table:

YEAR:	NUMBER OF SERVICES REPAIRED:	APPROXIMATE EXPENDITURE: (including reinstatement)
1991	60	\$360,000
1992	70	403,000
1993	112	616,000
1994	122	720,000

All utility rates are based on at least two basic parameters: what you offer to your customers, and at what level of service. There might be a perception that the public is entitled to sewer lateral maintenance by the Region since it pays a sanitary sewer surcharge as part of the water bill (and a stormwater levy on their tax bill). The reality is that the current sanitary sewer surcharge covers only the following expenditures:

- Capital Costs: for sanitary sewers, sewage pumping stations and other system appurtenances, as well as sewage treatment plants.
- Maintenance and Operating Costs: for sanitary sewers, sewage pumping stations and other system appurtenances, as well as sewage treatment plants.
- Financial and Administrative costs of these programs.

Cont'd. . . .

Sewer Laterals - Ownership and Maintenance

Cont'd. . . .

The total cost of the sanitary sewer program in 1995 is estimated to be just over \$32 million, with some \$26.5 million coming from the sanitary sewer surcharge on water bills. The cost of owning and maintaining sewer laterals is not included in the current sanitary sewer surcharge, and the rate would have to be increased substantially to include this additional service to the public. An upward adjustment would also have to be made to the storm levy charged to City of Hamilton residents.

Options and Discussion:

There are numerous options that exist with respect to ownership and maintenance of sewer laterals. However, any option based on the status quo would simply perpetuate the existing system. Even a modified version of the status quo, (i.e. service lateral entirely owned and maintained by the property owner, with a notwithstanding clause to deal with broken sewers on an exception basis and a clearer definition of "broken" to mean a failed pipe that is impeding flow) would leave four significant issues that would not be addressed:

- confusion over service as a sewer utility would still be unresolved.
- continued escalation of Regional costs for "broken" private drains.
- an increasingly large number of requests for special consideration, as many services will be reaching the end of their useful life in the next decade or two. Simply processing these requests would be a significant financial expenditure of public funds: field inspections, sewer cleaning to confirm problems and staff reports prepared for consideration by Council.
- difficulty in defining the criteria for consideration on humanitarian grounds, thereby leaving this option open to some inequities as well as potential abuse.

There are five options that merit further consideration:

Option 1: Full ownership of the sewer lateral by the property owner, with no involvement whatsoever from the Region (except for obvious damages caused by our construction and maintenance operations, which we would be liable for like any other utility operator).

This "all or nothing" approach is not perfect, but it is the simplest for both the public and the Region. It delineates the responsibilities for maintenance and repair costs as best as it

Cont'd. . . .

Sewer Laterals - Ownership and Maintenance

Cont'd. . . .

can be done. The inspection, cleaning, and repair costs would be entirely the responsibility of the property owner.

Option 2: Full ownership of the sewer lateral by the property owner, with program administration by the Region.

Homeowners often enter into a contract for maintenance of their major appliances or their furnace for a fixed annual amount. The cost varies with the services to be provided and the value of the asset the owner wants to protect. For example, a comprehensive maintenance contract for a major appliance (replacement value of \$400 to \$600) costs \$30 to \$60 per year, while a similar contract for a furnace (replacement value of \$2,000) costs \$125 to \$170 per year. In essence, homeowners are really engaging in some form of collective insurance in trying to spread the risk to as many people as possible. The contractors are in fact also doing the same thing.

The basis of this option would then be risk management on both sides. Under this option, a property owner would be purchasing from the Region a service: for a fixed annual price, the Region would perform any maintenance or repair to the owner's sewer lateral. There might even exist a number of price options, depending on the services the owner wishes to be guaranteed by the Region. In this way, the property owner would be protected against major unexpected expenditures, much like any other maintenance contract he/she may enter into.

Based on estimates provided in Appendix "A", the cost of an agreement with the Region for a sewer lateral (replacement value in the order of \$10,000 depending on a number of factors) would probably be in the order of \$160 per year. As one can see, this represents good value for money. This program could be managed on a user-pay cost-recovery basis, and would grow in terms of budget allocations (staff, contracts, etc.) as the number of customers grow.

The public currently pays contractors directly for these services, as well as an amount on their water bill to cover the cost of repairing "broken" private drains. The annual charge being proposed would replace these unexpected and high repair costs.

Option 3: Full ownership of the sewer lateral by the Region, with the Region liable in perpetuity for all repair and maintenance costs for the entire length of the sewer lateral.

Cont'd. . . .

Sewer Laterals - Ownership and Maintenance

Cont'd. . . .

As for Option 1, this "all or nothing" approach is not perfect, but it is the simplest for both the public and the Region. It delineates the responsibilities for maintenance and repair costs as best as it can be done. It is the exact opposite of Option 1, with the inspection, cleaning and repair costs entirely the responsibility of the Region.

Although this option is surely the most attractive from the individual owner's perspective, it is also the most expensive option from the Region's perspective. The basis for choosing this option would then have to be the answer to the following questions: what level of burden does Council wish the Region to bear? does Council want the Region to become the insurer for everyone?

The takeover of all sewer laterals by the Region would more than double the sewer infrastructure that the Region currently owns and operates. Should the Region decide to adopt this option, appropriate levels of service need to be implemented in order to minimize legal liabilities as well as protect the infrastructure in a cost-effective manner. A preliminary estimate is outlined in Appendix "A". It should be noted that although the overall costs may appear to be quite high, the actual annual cost per property owner is lower than or in line with other utilities. The average bill for two utilities (water and sewer) would rise from \$220 per year to \$380 per year under this scenario, which is approximately \$30 per month. This is the average for either cable TV or telephone alone, and far below typical hydro and gas bills.

The main problem with this option is that the Region does not control what the public puts down the sewer, and would nevertheless be liable for all damages to that sewer lateral.

Option 4: Split responsibility, i.e. property owner entirely and solely responsible for the yard sewer portion of the sewer lateral, with the Region entirely and solely responsible for the private drain portion.

This option is the one that is traditionally followed by most municipal utilities. Although the most common, this option is quite difficult to manage for the following reasons:

- the confusion over service as a sewer utility is still unresolved.
- there is always dispute as to where the property line really is, and short of a legal survey it cannot be determined easily.

Cont'd. . . .

Sewer Laterals - Ownership and Maintenance

Cont'd. . . .

- a problem can occur anywhere along the pipe. If the problem is quite extensive and/or is located at or near the property line, many questions arise: who pays for the sewer inspection and sewer cleaning to determine the location and extent of the problem? who hires the contractor? who pays? who collects from the other? etc. There can be significant expenditures of public funds if the Region is to coordinate such work.
- there is no material difference in the pipe, between the sewer in the street and the building. Therefore, it is difficult to explain the rationale of drawing the line of responsibility at the property line.

Option 5: Dual ownership option, i.e. option based on the concept of "joint ownership". This option would conceptually work in the following manner:

- The Region would take the lead in maintaining sewer laterals, by establishing preventive programs (i.e. inspection and cleaning) as shown in Appendix "B".
- The Region would coordinate any repair work that would need to be done at the time of inspection and cleaning.
- Inspection, cleaning, and repair costs would be shared equally by the Region and the property owner at the time the work is done. The property owner would be sent an invoice for the work performed, either as part of the water bill, the tax bill, or a direct invoice.
- property owners with combined sewer laterals would receive a single invoice for their share of the work performed. Property owners with separate sanitary and storm services would receive an invoice for work performed on each individual sewer lateral.

Although a bit awkward to administer, this option would have the advantage of:

- minimizing the impact of increasing public expenditures.
- resolving the issue of service to the building as most utilities do.
- having the property owners pay in a more equitable manner according to the actual state of their sewer laterals while still enjoying a certain degree of protection and assistance from local government by spreading some of the risks to all taxpayers.

Cont'd. . . .

- Page 11 -
January 31, 1995

Sewer Laterals - Ownership and Maintenance

Cont'd. . . .

CONCLUSION:

Sewer laterals are the forgotten components of a sewer utility that by itself suffers from the "out of sight, out of mind" syndrome. And yet, sewer services are one of the primary services essential to the economic, social, and environmental well-being of a community.

To our knowledge, the Region of Hamilton-Wentworth is the first (if not the only one) to review their role with respect to sewer laterals in such a comprehensive and creative manner. Any option other than the status quo will result in an increased level of service to the public, with related financial implications. This issue is indeed a very complex one, with no easy answer. Any solution should be as equitable as possible from a financial point of view, as well as from a level of service point of view. It would appear that Option 2 provides the best combination of these two considerations, and yet still respects the owner's right to make his/her own decision with respect to risk management.

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APPENDIX "A"

Conceptual Estimated Cost For Taking Over Responsibility For Entire Sewer Lateral (both yard sewer and private drain)		
• Assume 90,000 sanitary services and 30,000 storm services		
1.	response to inquiries and complaints, say 3,000/year (or 2.5% of services) cost = \$100 X 3,000	\$ 300,000
2.	additional utility locates, say 2,000/year cost = \$80 X 2,000	160,000
3.	response to flooding situations, say 3,000/year • staff call-out: 3 hours @ \$40/hour (1-person crew) cost = \$120 X 3,000 • cleanup for 50% of calls: 3 hours @ \$80/hour (2-person crew) X 1500 • legal/insurance adjuster for 50%: \$250 X 1500 • say 10% of sewers must be videoed, capacity calculations done, computer modelling, storm analysis, etc.: \$500 X 300 • say must pay damage claims for 10%: \$2,000 (average) X 300	360,000 360,000 375,000 150,000 600,000
4.	preventive maintenance: clean and inspect every 15 years cost = \$300 X 8,000/year	2,400,000
5.	repairs: • assume 1 minor repair/service every 30 years cost = \$1,000 X 4,000/year • assume 1 major repair/service every 50 years cost = \$4,000 X 2,400/year	4,000,000 9,600,000
SUB-TOTAL		18,305,000
6.	add 5% for program administration	915,000
GRAND TOTAL		\$ 19,220,000

Unit Costs:

- per service: $\$19,220,000 / 120,000 = \160 per year
- per capita: $\$19,220,000 / 360,000 = \53 per year
(assume population of 450,000 and 80% is serviced)

APPENDIX "B"

Conceptual Estimated Cost For Joint Ownership Of Entire Sewer Lateral (both yard sewer and private drain)		
• Assume 90,000 sanitary services and 30,000 storm services	Region Costs:	Owner Costs:
1. response to inquiries and complaints, say 3,000/year (or 2.5% of services) cost = \$100 X 3,000	\$ 300,000	
2. additional utility locates, say 2,000/year cost = \$80 X 2,000	160,000	
3. response to flooding situations, say 3,000/year • staff call-out: 3 hours @ \$40/hour (1-person crew) cost = \$120 X 3,000 • cleanup for 50% of calls: 3 hours @ \$80/hour (2-person crew) X 1,500 • legal/insurance adjuster for 50%: \$250 X 1500 • say 10% of sewers must be videoed, capacity calculations done, computer modelling, storm analysis, etc.: \$500 X 300 • say must pay damage claims for 10%: \$2,000 (average) X 300	360,000 360,000 375,000 150,000 600,000	
SUB-TOTAL		-
4. preventive maintenance: clean and inspect every 15 years cost = \$300 X 8,000/year	1,200,000	\$1,200,000
5. repairs: • assume 1 minor repair/service every 30 years cost = \$1,000 X 4,000/year • assume 1 major repair/service every 50 years cost = \$4,000 X 2,400/year	2,000,000 4,800,000	2,000,000 4,800,000
6. add 5% for program administration	915,000	
GRAND TOTAL		\$11,220,000

Region Costs:

- per service: $\$11,220,000 / 120,000 = \93.50 per year
- per capita: $\$11,220,000 / 360,000 = \31 per year
(assume population of 450,000 and 80% is serviced)

Owner Costs:

- per service: 50% of actual cost of work performed



REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

Office of the Clerk

Robert C. Prowse, Clerk
Michael A. Rallo, Deputy Clerk

February 23, 1995

Mr. Joseph J. Schatz
Clerk
City of Hamilton
71 Main Street West
2nd Floor
Hamilton, Ontario
L8N 3T4

Dear Mr. Schatz:

Regional Council at its meeting held on Tuesday, February 21, 1995, approved Item 9 of the Environmental Services Committee Report 3-95, as follows:

9. City of Hamilton Report - Leaf and Yard Waste Management (ENV 95-014)

- a) That the City of Hamilton be advised that the Region of Hamilton-Wentworth will not provide Leaf and Yard Waste composting site services in 1995;
- b) That the Senior Director of Environmental Services be authorized and directed to negotiate, through the Waste Management Coordinating Committee, the roles and responsibilities of the Region and the Area Municipalities with respect to the implementation of a Leaf and Yard Waste composting program to be established under the new Waste Management Service Agreement(s). **Item 4.10**

It would be appreciated if the above-noted recommendation and attached report could be forwarded to the appropriate Standing Committee for their information. Should you require further information with respect to this item, please do not hesitate to contact our office.

Yours truly,

Lynda Sohal (Ms.)
Legislative Assistant

LS/
attach.

OFFICE OF THE CITY CLERK	
FEB 23 1995	
REC. BY <i>SGM</i>	DATE
REF'D. TO	DATE
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ACTION:	
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4.10

REGION OF HAMILTON-WENTWORTH

RECOMMENDATION

DATE: February 2, 1995
E309-20C (P. Jensen)

REPORT TO: Chairman and Members
Environmental Services Committee

FROM: P. J. Halliday
Senior Director
Environmental Services

SUBJECT: City of Hamilton Report - Leaf and Yard Waste Management

ENV 95-014

RECOMMENDATION:

- a) That the City of Hamilton be advised that the Region of Hamilton-Wentworth will not provide Leaf and Yard Waste composting site services in 1995;
- b) That the Senior Director of Environmental Services be authorized and directed to negotiate, through the Waste Management Coordinating Committee, the roles and responsibilities of the Region and the Area Municipalities with respect to the implementation of a Leaf and Yard Waste composting program to be established under the new Waste Management Service Agreement(s).


P. J. Halliday

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Due to budgetary limitations, the Region will be unable to provide Leaf and Yard Waste Composting site services, costs for which were expected to approach \$1,000,000 , in 1995. These costs, given the Region's financial obligations under the existing Laidlaw Contract, are not offset or recovered through a corresponding reduction in disposal costs.

It is expected that the absence of a financial incentive to reduce waste will be reconciled in 1996. The Region's recently issued Request for Proposals (RFP) specifically requests that disposal costs be charged, in part, on the basis of tonnes delivered, and not entirely according to a fixed rate.

Cont'd...

City of Hamilton Report - Leaf and Yard Waste Management

FINANCIAL/STAFFING/LEGAL IMPLICATIONS (cont'd):

Under Ontario Regulation 101/94, local municipalities with a population of 50,000 or more are required to have a "leaf and yard waste system" commencing January 1, 1995. This system includes the provision of a leaf and yard waste composting site and transportation of collected or accepted leaf and yard waste to such a site. The Region has no legal obligation under this Regulation to provide such a system in 1995. Conversations with Ministry of Environment and Energy representatives confirmed Regional staff's understanding that the responsibility for meeting the regulation lies with the lower tier municipalities (Hamilton, Dundas and Stoney Creek).

The Region's obligations with respect to a leaf and yard waste system, however, do arise on January 1, 1997 when under the recent amendments to the Municipal Act, Regional Municipalities Act, and the Regional Municipality of Hamilton-Wentworth Act the Region is deemed to have passed a by-law to assume "waste reduction powers" (including leaf and yard waste composting), except for collection, from all its area municipalities. Under the Regional Municipalities Act, the Region may also assume any such powers by by-law, including collection, before January 1, 1997 if a specific voting procedure is followed.

SUSTAINABLE COMMUNITY IMPLICATIONS:

(Vision 2020 , adopted by Regional Council as their vision for the future of Hamilton-Wentworth, embodies the concept of a sustainable community which is an equal balance of the economy, the environment, and social/health factors in all regional decision-making)

Environment:

Approximately 20% of the waste stream could be diverted from disposal through leaf and yard waste composting. In addition to saving landfill space, a reduction of organics entering SWARU and the Glanbrook landfill would provide additional benefits: since organics tend to be wet and hinder combustion, their removal could help SWARU achieve a more efficient and cleaner burn.

In addition, a by-product of anaerobic (without air) decomposition in a covered landfill is the production by organics of the methane gas commonly associated with landfilling. The reduction of organics going to landfill will help to mitigate this problem. Composting is an aerobic process and does not produce methane.

The practice of leaf and yard waste composting, and the educational effort that will be required to change how people place materials out at the curb, will almost certainly heighten awareness about all Regional waste management programs.

Diversion of organic waste from landfill and SWARU is consistent with the goals and strategies respecting waste management as outlined in VISION 2020.

Cont'd...

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City of Hamilton Report - Leaf and Yard Waste Management

SUSTAINABLE COMMUNITY IMPLICATIONS (cont'd):

Local Economy:

While the diversion of the domestic waste stream reduces the need for additional manpower in the area of garbage collection, these activities create full and part time positions within the community. The City of Hamilton report anticipates a reallocation of collection forces, and neither an increase nor a decrease in manpower, with the exception of two student positions for the purpose of public education and program evaluation, to accommodate leaf and yard waste collections in a test area. Jobs would be created where material is hauled, processed and marketed under contract by the Region or City. Additional costs, under the existing Laidlaw Contract, are not offset by a corresponding reduction in disposal costs and must therefore be recovered from the tax payer.

Prospects for marketing of finished compost could generate economic opportunities for local nurseries and landscapers or, alternatively, application of finished compost as landfill cover material or by municipal parks departments could reduce operating costs that are ultimately borne by tax payers.

Social:

Strict Provincial guidelines are in place to minimize problems associated with composting for the benefit of those living or working at or near a composting site. As organic material handled on behalf of the Region will consist of leaf and yard waste only, the municipal program will not contribute to problems associated with the composting of other organics.

BACKGROUND:

At its meeting of Tuesday January 17, 1995, the Environmental Services Committee received Item 75 of the First Report of the Transport and Environment Committee respecting *Leaf and Yard Waste Management*, which was adopted by Hamilton City Council at its meeting held on December 13, 1994. The Region is requested by the City Clerk to ensure appropriate action in regards to sub-sections (b), (c) and (d) of the resolution.

The report by City of Hamilton, the recommendations for which are attached as Appendix I, is a response to Provincial 3Rs regulations which became law on March 3, 1994. The City is covered by the Region's recycling and backyard composting programs, and is therefore in compliance with most aspects of the regulations as they pertain to municipalities with population over 50,000. The exception is the provision of a centralized leaf and yard waste collection and composting system. The compliance date for municipalities in Southern Ontario is January 1, 1995, after which time failure to comply with any of the regulations could lead to charges being brought against non-complying municipalities under the Environmental Protection Act.

Cont'd...

City of Hamilton Report - Leaf and Yard Waste Management

BACKGROUND (cont'd):

An extension until 1996 of the compliance date for Leaf and Yard Waste composting was requested by Regional Council at its meeting held July 20, 1993, Item 17, but was not granted by the Provincial government. At that time the Region indicated to the Province that a 1996 implementation date would have the least financial impact on this Region and its area municipalities. The main barrier to an earlier implementation date was the fixed cost of the Region's current disposal agreement.

With respect to sub-sections (b), (c) and (d) of the City's report:

- (b) Discussions had been held between the Region and all area municipalities, through the Waste Management Coordinating Committee (WMCC), on the matter of an operating relationship for the collection and composting of leaf and yard waste. Since the amended Municipal Act makes 3Rs activities, with the exception of collection, a Regional responsibility as of January, 1997, a Regional role was considered appropriate.

Regional staff were surprised by Item (b) of the City's report. The consensus reached at the WMCC was that the area municipalities would collect leaf and yard waste for delivery to municipally-operated transfer areas where the material would be prepared and accumulated for transport to the Region's composting site. This understanding, which was supported by the City of Hamilton as late as November of 1994, was incorporated into Part B, Leaf and Yard Waste Composting Facility, of RHW 95-05 (RFP), the Request for Proposals for operation of the Region's waste management system.

Since the Region's RFP has already been released, it will be necessary for the City to reevaluate its operating plan within the context of the services that will be offered by the Region as described in the RFP.

- (c) Since the Region's Waste Management Levy distributes program costs across all area municipalities, and since not all area municipalities are mandated by the 3Rs Regulations to provide leaf and yard waste collection and composting systems, recovering these costs through a general levy would be unfair. Costs associated with composting should instead be billed or levied directly back to participating municipalities.

Sub-section (c) again assumes that the Region would be providing transfer services. The use of a general levy to distribute municipal-specific transfer costs would again seem inappropriate.

Cont'd...

-page 5-
February 2, 1995

City of Hamilton Report - Leaf and Yard Waste Management

BACKGROUND (cont'd):

- (d) Since waste diversion under the existing Laidlaw Contract is not offset or recovered through a corresponding reduction in disposal costs, a reduction in waste does not result in a surplus. All fixed charges for use of the system must still be recovered, and would be distributed according to the reduced municipal garbage tonnage.

For 1996 and beyond, the impact of the diversion from disposal of Hamilton's leaf and yard waste can only be determined once when Region's RFP is evaluated. How the new configuration of programs and costs will affect the Waste Management Current and Capital Budgets will be assessed and the Region's Finance Department consulted in order to develop an appropriate recommendation with respect to apportioning these costs fairly, and in a manner that encourages waste reduction, to the area municipalities. It is expected that a reduction in costs resulting from the new contracts will be passed along to the area municipalities.

Sub-section (a) was omitted from the City's request, yet (a) ii) **Backyard Composters** requires specific action by Waste Management staff to alter the current backyard composting methodology and determine operating details in cooperation with City staff. This aspect, therefore, is also addressed in this Report.

A contribution by the City to the Region's backyard composting program in order to fully subsidize 1,000 composters for use in a target area is a positive step. Should City staff still wish to pursue this recommendation, this could be accommodated through related wording changes in the Region's request for proposals for backyard composters, which is due to be issued early in 1995. City staff are invited to work with Regional staff to resolve the specifics.

PJ/
attach

cc All WMCC members

APPENDIX I

Sub-joined is a copy of Section 75 of the First Report of the Transport and Environment Committee which was adopted by Hamilton City Council at its meeting held 1994 December 13.

"(a) That in accordance with the Provincial Government's 3Rs Regulations which mandate leaf and yard waste composting effective January 1, 1995, consideration be given in the 1995 current budget deliberations for the Director of Public Works to initiate a leaf and yard waste management plan in accordance with the following criteria:

i. **Education**

A primary focus will be placed on a comprehensive education and promotional campaign to encourage citizen participation in mulching and recycling of leaf and yard waste as opposed to the collection of this compostable material. The campaign would involve mascots, pamphlets, newspaper advertising, radio commercials, billboards on Public Works vehicles, workshops and visits to area schools at a cost not to exceed \$106,000.; and,

ii. **Backyard Composters**

The City of Hamilton should fully support the use of backyard composters and offer a financial contribution to the Region of Hamilton-Wentworth's campaign in the amount of \$14,000. to encourage the Region to enhance their backyard composting program through a specific "blitz" of subsidized composters for the target area, Crown Point East neighbourhood, to assess the merits of composting in diverting waste; and,

iii. **Leaf and Yard Waste Collection/Diversion Alternatives**

Recognizing that the 3Rs dictate that municipalities must provide collection or acceptance of leaf and yard waste in a manner that is reasonably convenient to the generator, a range of diversion and collection variables must be studied. The evaluation of available methodologies will lead to an optimum understanding of service and cost implications with a 1995 current budget cost not to exceed \$20,000.

Information from these pilot projects would be applied to the entire City area for a cost/waste diversion analysis in a report to Committee and Council in anticipation of a City wide collection program beginning in 1996; and,

APPENDIX I (CONT'D)

- 2 -

- (b) That the Regional Municipality of Hamilton-Wentworth be requested to provide convenient leaf and yard waste transfer station services to the City of Hamilton and transportation from the transfer location of all leaf and yard waste collected by the City to a composting facility either operated or contracted by the Region; and,
- (c) That the Regional Municipality of Hamilton-Wentworth be requested to include the transfer station tipping fees and composting costs for the City of Hamilton leaf and yard waste within the Regional Levy; and,
- (d) That the Regional Municipality of Hamilton-Wentworth be requested to direct any surplus funds from the City of Hamilton portion of the Regional Waste Management levy as a result of the anticipated savings from the new disposal contract in 1996 and the diversion of an estimated 20% leaf and yard waste, to be used for the timely implementation and operation of the City of Hamilton's Leaf and Yard Waste Program; and,
- (e) That this proposal be forwarded to the Ministry of Environment and Energy (M.O.E.E.) for their consideration at this time as the costs of implementing a full scale program in light of our contractual commitment would ultimately lead to the cancellation of high priority core programs; and,
- (f) That the Director of Public Works be authorized to apply to the M.O.E.E. for grant subsidy for the capital costs in establishing the Leaf and Yard Waste Program."

1995 February 28

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Parks and Recreation Committee presents its **SIXTH** Report for 1995 and respectfully recommends:

1. (a) That an Agreement for Temporary Use of City Lands, being part of 1120 Beach Boulevard, executed by St. Lawrence Cement Inc. (Dufferin Construction Company), on 1995 January 26, for the sole purpose of the placement of three (3) construction trailers and equipment required in connection to the sanitary sewer and watermain reconstruction on Beach Boulevard for the period to extend from 1994 November 16 to 1995 August 31, be approved; and,

(b) That the Mayor and the City Clerk be authorized and directed to execute the necessary documents.
2. (a) That the current contract position of "Co-ordinator of Food Services" within the Department of Culture and Recreation, be extended for up to six months; and,

(b) That the City Solicitor be authorized to make the necessary changes to the existing contract.
3. That approval, as required by Section 26 of the Fireworks By-law No. 90-198, be given to the Greenhill Co-operative Corporation to hold a Fireworks Display on City property located at Quigley Road and Greenhill Avenue on 1995 May 22, raindate 1995 May 28, subject to the following terms and conditions:
 - (a) That Greenhill Co-operative Corporation use a qualified Fireworks Supervisor to light the fireworks display; and,
 - (b) That proof of \$5 million Comprehensive General Liability Insurance for Property Damage and Bodily Injury, naming the Corporation of the City of Hamilton as co-insured be provided to the City of Hamilton at least 20 days prior to 1995 May 22; and,
 - (c) That Greenhill Co-operative Corporation comply with all Sections of By-law No. 90-198; and,
 - (d) That the Greenhill Co-operative Corporation agree to indemnify the Corporation of the City of Hamilton for any bodily injury or property damage caused by the fireworks display.

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4. That permission be granted to waive the rental fees for the Hamilton Seniors Games, Shuffleboard Tournament to be held 1995 May 27 at Coronation Arena.
5. That permission be granted to charge green fees on a buy 3 get 1 free basis for the Hamilton Seniors Games District Golf Tournament to be held on 1995 May 17 at Chedoke Golf Course (Martin).
6. That the City through the Department of Culture and Recreation apply for a grant under the Ontario Training and Adjustment Board - Social Services Employment Program for a part-time student assistant at the Hamilton Museum of Steam and Technology.
7. That two black and white steel engravings (Accession numbers M1976.37.1 and M1976.48.1) depicting Napoleonic War scenes be deaccessioned and offered in trade for a colour lithograph of the Battle of Queenston Heights.
8. That approval, as required by Section 20 (1) of the Parks By-law 77-221, be given to Terry Veevers to operate carriage rides on the evening of 1995 April 7 for the participants in the Dofasco educational programme subject to the following terms and conditions:
 - (a) That proof of \$2 million Comprehensive General Liability Insurance for Property damage and Bodily Injury to be submitted, naming the Corporation of the City of Hamilton as co-insured; and,
 - (b) That the applicant assume responsibility for all labour charges associated with the event.
9. That approval, as required by Sections 5 (b) and Section 11 (a) of the Parks By-Law 77-221, be given to Mr. Tom Anderson to barbecue and sell food and beverages during the Golden Horseshoe Live Steamer Days (1995 May 28, June 18, July 1, August 20, September 24, October 15) at the Hamilton Museum of Steam and Technology.
 - (a) That the applicant assume responsibility for clean-up and any damages to the grounds; and,
 - (b) That as agreed a donation of \$.25 per non-beverage sale be given to the Hamilton Museum of Steam and Technology and the Golden Horseshoe Live Steamers; and,
 - (c) That proof of \$2 million Comprehensive General Liability Insurance for Property Damage and Bodily Injury, naming the Corporation of the City of Hamilton as co-insured be provided to the City.

10. That approval, as required by Sections 5 (b) and Section 11 (a) of the Parks By-Law 77-221, be given to the Stoney Creek Lions Club to barbecue and sell food and beverages for the Annual Antique Steam and Gas Engine Show at the Hamilton Museum of Steam and Technology - 1995 July 22, and July 23, subject to the following terms and conditions:
 - (a) That the applicant assume responsibility for clean-up and any damages to the grounds; and,
 - (b) That proceeds from food and beverage sales be used towards the volunteer appreciation barbecue; and,
 - (c) That proof of \$2 million Comprehensive General Liability Insurance for Property Damage and Bodily Injury, naming the Corporation of the City of Hamilton as co-insured be provided to the City.
11.
 - (a) That a contract, satisfactory to the City Solicitor, be entered into with Taylor/Hazell Architects Ltd., in the amount of \$214,600. to provide architectural and consulting services for the second phase of the Dundurn Castle Restoration Project to be financed through Capital Account No. CF719441022; and,
 - (b) That the restoration budget for the project as outlined in Appendix "A" (i) and (ii), be approved.
12. That permission be granted to the International Police Diver Symposium to use Pier 4 Park to view static displays and open-water exercises and demonstrations to be staged 1995 September 16 subject to the following conditions:
 - (a) That proof of the following insurance be provided and submitted thirty (30) days prior to the event, indicating the City as the additional insured, subject to a cross liability clause:
 - i. comprehensive General Liability in the amount of \$5 million per occurrence including various hazards, satisfactory to the City; and,
 - ii. owned and Non-Owned Aircraft and Watercraft Liability to a minimum of \$5 million per occurrence; and,
 - iii. tenant Legal Liability in the amount of \$5 million per occurrence; and,
 - (b) That all insurance and agreements be acceptable to the City Solicitor; and,

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- (c) That insurance, in the amount of \$5 million, Comprehensive General Liability Insurance for Property Damage and Bodily Injury, subject to cross liability, and 30 days notice of cancellation, be provided; and,
 - (d) That the applicant assume responsibility for all labour-related costs as a result of this event, including set-up and cleanup; and,
 - (e) That Special Duty Officers and/or Marine Police as deemed necessary by the Hamilton-Wentworth Regional Police be provided at the applicant's expense; and,
 - (f) That the applicant notify and adhere to the regulations of the Hamilton Harbour Commission; and,
 - (g) That the terms and conditions be reviewed and monitored by the Special Events/Festival Advisory Team; and,
 - (h) That event organizers adhere to the Public Works/Parks Division Signage Guidelines/specifications for advertising and promoting events; and,
 - (i) That permission be granted from Parks By-law 89-74, to allow the landing of an aircraft in Pier 4 Park 1995 September 16.
13. (a) That the following subsidized hourly ice rental rates be increased by \$10. effective 1995 October 10:

	<u>1994 Current</u>	<u>1995 Proposed</u>
Minor Sports - Recreation	\$35.	\$45.
Minor Sports - Reps Select	\$50.	\$60.
Minor Sports - Hub	\$43.	\$53.

- (b) That upon completion and receipt of the User Fee Study, staff be instructed to report back to the Parks and Recreation Committee with a three year plan for all Rates and Fees with respect to ice hockey and arena operations and to incorporate the information and recommendations therein provided; and,
- (c) That the criteria attached hereto as Appendix "B" be adopted for the basis of granting subsidized rates within civic arenas; and,
- (d) That staff be directed to begin work on developing an Ice Allocation Policy and that this Policy be brought back to the Parks and Recreation Committee and City Council for consideration and approval.

1995 February 28

14. That a purchase order be issued to Parson's Precast Inc., Hamilton, to supply and install various size grave crypts (liners) on a twenty-four (24) hour notice for Hamilton Cemeteries for a three year period: 1995, 1996, 1997 in accordance with the specification issued by the Purchasing Department.
15.
 - (a) That the terms of the Joint Management Agreement between the City of Hamilton and the Hamilton Region Conservation Authority respecting Red Hill Creek Valley remediation works and attached as Appendix "C", be approved; and,
 - (b) That the Mayor be authorized to sign the Joint Management Agreement in conjunction with the Chairman of the Hamilton Region Conservation Authority for the purposes of facilitating the commencement of the remediation work and establishing the parameters for undertaking this joint project; and,
 - (c) That the Director of Public Works be authorized to pursue with various volunteer organizations such as but not limited to the Hamilton Naturalist Club, the Conserver Society, Bruce Trail Association, and the Friends of the Red Hill Valley, options for the consideration of the Parks and Recreation Committee, to include volunteers in the long term maintenance of the remediation works such that City of Hamilton maintenance costs are minimized; and,
 - (d) That the Director of the Public Works Department be authorized to establish current budget implications associated with providing maintenance services for the remediation works undertaken by the City, not including the World Biosphere Interpretive Centre component, and to represent required funding levels in the Parks Division current budget base commencing June 1, 1996 as part of the 1996 budget deliberations; and,
 - (e) That Alderman D. Wilson and Alderman D. Ross be named to serve on each of two Advisory Committees as represented on Appendix "D" forming part of the Joint Management Agreement.
16.
 - (a) That the daily responsibilities for maintenance of greens, ornamental beds and surrounding lawn areas at the Roselawn, Churchill, Mount Hamilton and Fernleigh Lawn Bowling Clubs be transferred to the executive board of each facility on a trial basis for the 1995 season; and,
 - (b) That funds be transferred from Public Works - Parks Division, Facilities Section, Operating Budgets Account CH51401 62130 to each lawn bowling club to be used to retain their own staff during this period; and,

1995 February 28

- (c) That the proposed program be evaluated at the conclusion of 1995, by the Lawn Bowling Task Force for the purpose of recommending a 1996 maintenance strategy for consideration of the Parks and Recreation Committee; and,
 - (d) That the City Treasurer be authorized to transfer amounts totalling \$10,000. to Roselawn Lawn Bowling Club, \$10,000. to Churchill Lawn Bowling Club, \$6,000. to Fernleigh Lawn Bowling Club and \$6,000. to Mount Hamilton Lawn Bowling Club in two instalments payable on 1995 April 1 and 1995 June 1.
17. That staff be directed to negotiate an agreement with Mr. David Richter, President, Bay King Motors, for the use of Ivor Wynne Stadium as the site for a four day automotive show and sale.
18. (a) That nine (9) trees at Parkdale Arena be removed/replaced or relocated to allow for additions to the Arena. If relocation of existing trees is not possible, these trees to be replaced with trees as large as possible to that of the original at a future location; and,
- (b) That four (4) trees at Inch Park Arena be removed/replaced or relocated to allow for additions to the Arena. If relocation of existing trees is not possible, these trees to be replaced with trees as large as possible to that of the original at a future location; and,
- (c) That the funds for replacement or relocation of the trees, together with associated work, be obtained from the project accounts for these projects previously approved by City Council.
19. That the Interim Director of the Culture and Recreation Department be authorized to issue four (4) 1995 annual golf passes to the members of the Executive of the Chedoke Golf Club and four (4) 1995 annual golf passes to the members of the Executive of the King's Forest Golf Club.
20. (a) That staff be directed to attempt to negotiate a maximum ten year lease at a fair market value with the owner(s) of Scott-MacDonald Marine with the provision of pedestrian access as per Appendix "E" attached hereto; and,
- (b) That if an agreeable lease agreement, suitable to the City cannot be reached, the present lease agreement be terminated; and,

1995 February 28

- (c) That staff be directed to report back on the issue at the next meeting of the Parks and Recreation Committee.

Respectfully Submitted,

**ALDERMAN T. JACKSON, CHAIRPERSON
PARKS AND RECREATION COMMITTEE**

**Kevin C. Christenson
Secretary**

1995 February 21

Appendix "A" as referred to in
Section 11
of the SIXTH Report of the
Parks and Recreation Committee
for 1995

DUNDURN CASTLE PHASE TWO RESTORATION BUDGET

(i)

REVENUES:

\$1,700,000	City of Hamilton capital budget	
\$ 900,000	jobsOntario (provincial)	
\$ 83,500	Barrier Free Access (City of Hamilton)	
\$ 50,000	Cultural Initiatives Programme (federal)	
\$ 1,000	Section 25, archaeology (federal)	
\$ 40,000	anticipated, Museum Assistance Programme, security (federal)*	
\$ 15,000	anticipated, private donations*	\$2,789,500

* Work will not be carried out until confirmations of funding.

EXPENDITURES

*please note that due to the nature of restoration work the allocations for various components of construction (ie. masonry vs. stucco) may change due to actual site conditions.

\$1,700,000	masonry, stucco and wood restoration, Castle & Dovecote	
\$ 164,000	restoration and retrofit, Stables	
\$ 460,000	masonry, stucco, wood & foundation restoration, Cockpit	
\$ 40,000	allowance for aviary	
\$ 75,000	contingency	
\$ 5,000	testing	\$2,484,000 construction subtotal
\$ 152,700	Taylor/Hazell Limited fees	
\$ 12,500	Mechanical/electrical engineers	
\$ 20,000	Structural engineers	
\$ 5,000	Security	
\$ 7,000	Quantity surveyor	
\$ 1,200	Landscape consultant	
\$ 10,000	Conservation specialist & testing	
\$ 5,900	Printing	
		\$ 214,600 professional fees subtotal
		(professional and consultant fees to be paid by Taylor Hazell Architects Limited)
\$ 69,800	allowances	
		\$ 69,800 allowances subtotal

Restoration Sub-total	\$2,768,400
GST	193,780
	\$2,962,180
(less refundable GST)	(193,798)
	\$2,768,400
+ project archaeology	21,100
	\$2,789,500

Note: Dundurn is deemed a revenue generating institution therefore GST used for capital improvements is 100% refundable

DEPARTMENT OF CULTURE & RECREATION

(a)

1995 CAPITAL BUDGET APPROPRIATION

Centre # CF 719441022 Dundurn Castle Restoration - Phase II

REVENUE

City of Hamilton	\$1,700,000
Province of Ontario	\$900,000
Federal Govt.	\$50,000
Barrier Free Access	\$83,500
Museum Assistance Program	\$40,000
Private Donations	\$15,000
Other	\$1,000
Total Revenue	\$2,789,500

EXPENDITURES

Construction	\$2,484,000
Professional Fees	\$214,600
Archaeology	\$21,100
Contingency allowance	\$69,800
Total Expenditure	\$2,789,500

Appendix "B" as referred to
in Section 13 of the Sixth
Report of the Parks and
Recreation Committee for 1995

Subsidized Ice Rental Criteria

1. Organizations must be volunteer/non profit.
2. Must be based in Hamilton.
3. Must be recognized by the Department of Culture and Recreation.
4. Must operate its program for local minor aged participants (at least 70% under the age of 18).
5. Organization must have a minimum of 25 members.
6. Organizations must, upon request by the City, provide access to their financial information and provide annual audited financial statements for the preceding fiscal year, together with other pertinent information as to:
 - (i) Proposed budget for the current year
 - (ii) Total number of participants
 - (iii) Program budget including operating costs and revenues
 - (iv) List of registration fees

RED HILL VALLEY PROJECTS

Appendix "C" as referred to in
Section 15 (a) of the SIXTH
Report of the Parks and
Recreation Committee for 1995

Project	January 1/95 to March 31/96
Environmental Cleanup/Remediation of Red Hill Valley:	
General Clean-up of the Valley - Approximately 400 hectares. Concentrate on King Street to the Bay in spring/95; entire Valley during remainder of 95/96. Remove debris, assess options to prevent future dumping and implement these. City/HRCA/Community Groups. City as lead implementing agency.	\$300,000
Environmental Rehabilitation - Pilot project to correct areas of streambank erosion in upper Valley. Engineering, design and construction using bioengineering techniques to provide fish habitat in addition to correcting erosion. City/HRCA/Community Groups. HRCA as lead implementing agency.	\$75,000
Planting/Plantation Management - Tree and shrub planting throughout Valley for habitat improvement and buffers. Native species to be used, including some Carolinian trees, shrubs and wildflowers. Thinning of pine/spruce plantations to initiate change to native, mostly deciduous species of trees. Replanting within plantations where appropriate. City/HRCA. City as lead implementing agency.	\$600,000
Biological Inventory and Monitoring - Complete flora and fauna of entire Valley. Summary of existing information, additional field work in all seasons, recommendations for mitigation. Ongoing monitoring. HRCA as lead implementing agency.	\$75,000
Archaeological Survey - Survey of entire Valley. Summary of existing information, field work, recommendations re. any archaeological digs to salvage artifacts. HRCA as lead implementing agency.	\$60,000
Stream Monitoring and Assessment - Compilation and analysis of existing stream water quality and quantity data. Ongoing monitoring. Examination of storm and combined sewer impacts, leachate from closed landfill sites. Recommendations for mitigation. To be contracted out to consultant. HRCA as lead implementing agency.	\$175,000
Public Participation/Community Input - Public meetings, presentations, exhibits, audio-visual shows, flyers, Valley hikes, etc. HRCA/City. Building rental for interim office and interpretive site. HRCA as lead implementing agency.	\$100,000
Subtotal	\$1,385,000
World Biosphere Interpretive Centre	
<p>Development of Interpretive/Business Plan and Site Selection - The development of techniques to obtain community input, development of business plans, exhibit designs, architectural designs, site selection and initial construction will be contracted out to consultants. Site selection should be an early goal. The process used by consultants will rely on in part, or include, input and participation by the Regional Economic Development Department in a study team, plus the involvement of interest groups. The selection of the site for the Centre or related functions, should they be on CITY land, will be the subject of further agreements.</p> <p>Development and Preparation of Detailed Exhibit Design - To be contracted out to consultants to develop design of exhibits, building space and site requirements. Preparation of detailed working designs for tender.</p> <p>Development of Architectural Design - To be contracted out to consultants to develop design of building and detailed working designs for tender.</p> <p>Initial Phase of Construction</p> <p>HRCA/City/Region/Community Groups. HRCA will be lead implementing agency in above project components.</p>	\$904,000
Subtotal	\$904,000

1995 February 28

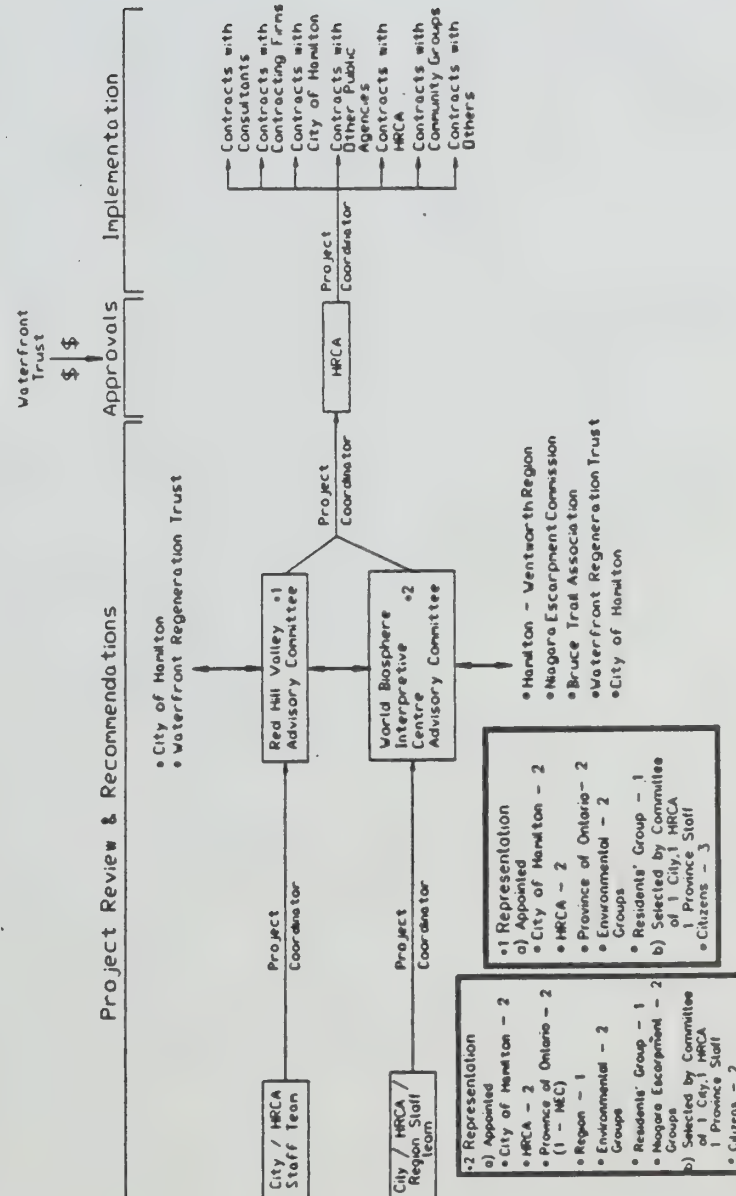
Project	January 1/95 to March 31/96
Trails	
Trail in the Valley - Review of existing studies, supplementary studies and route selection for main trail and connections with other trails. Design and construction including bridge across Red Hill Creek for Bruce Trail. Feasibility study of QEW pedestrian overpass to connect Waterfront Trail to Red Hill Valley trail system. HRCA/City. City as lead implementing agency.	\$922,500
Subtotal	\$922,500
Total	\$3,211,500

Appendix "D" as referred to
in Section 15 (e) of the SIXTH
Report of the Parks and
Recreation Committee for 1995

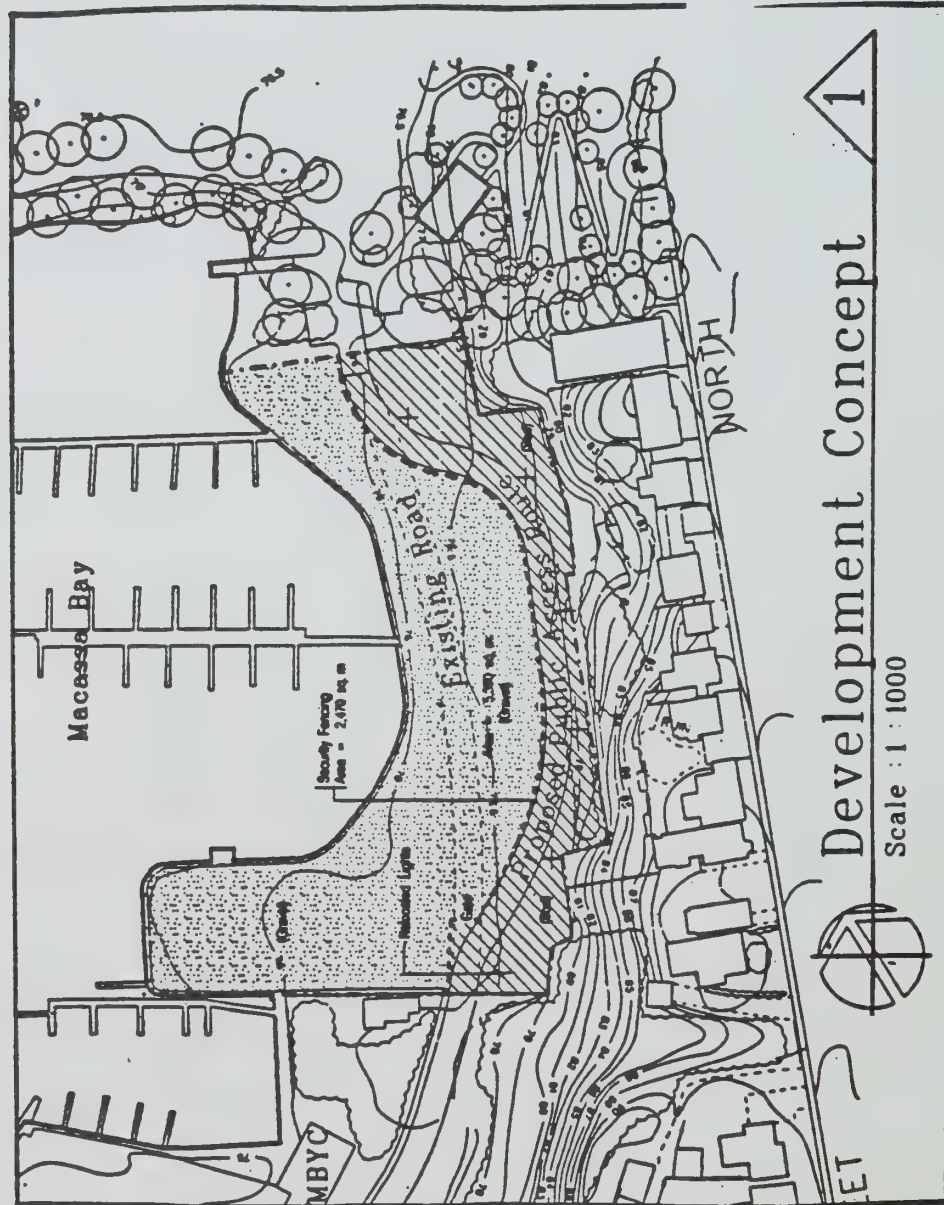
FEBRUARY 14, 1995

RED HILL VALLEY PROJECTS

Review, Recommendations, Approvals and Implementation Model



Appendix "E" as referred to in
Section 20 of the SIXTH Report
of the Parks and Recreation
Committee for 1995



1995 February 28

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **SEVENTH** Report for 1995 and respectfully recommends:

1. (a) That the existing "Open Space" designation in both the Official Plan and the approved Albion Falls Neighbourhood Plan, for the Albion Falls Neighbourhood Study Area, as shown on Appendix "A" be changed to "Residential"; and,

(b) That the Director of Local Planning be directed to prepare an amendment to the Official Plan and the approved Albion Falls Neighbourhood Plan to reflect this change.
2. That the appropriate staff (eg. Law and Planning Departments) be authorized to attend the Ontario Municipal Board hearing regarding an appeal to the Committee of Adjustment decision to deny Application No. A-94:243, respecting property located at No. 121 Ward Avenue.
3. That the City Treasurer be directed to close the following Capital Project accounts with any excess funding to be transferred to its original source of financing:

Capital Centre Number	Project Description	Authorized Gross Cost	Expended/ Committed To Date	Balance Available	Source Of Financing
a) 548841001	Central Business District Study	23,000.00	23,017.00	(17.00)	Province of Ontario
b) 549055006	Central Business District Study - Phase 2	12,550.00	12,500.00	50.00	Province of Ontario

4. That a Hamilton Emergency Loan (H.E.L.P.) in the amount of two thousand dollars (\$2,000.) be approved for Frank Zavarella, 118 Balmoral Avenue South, Hamilton. The interest rate will be 8 per cent amortized over 5 years.

1995 February 28

5. That the Building Commissioner be authorized to issue a demolition permit for 71 Rymal Road West in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act, as amended.

RESPECTFULLY SUBMITTED,

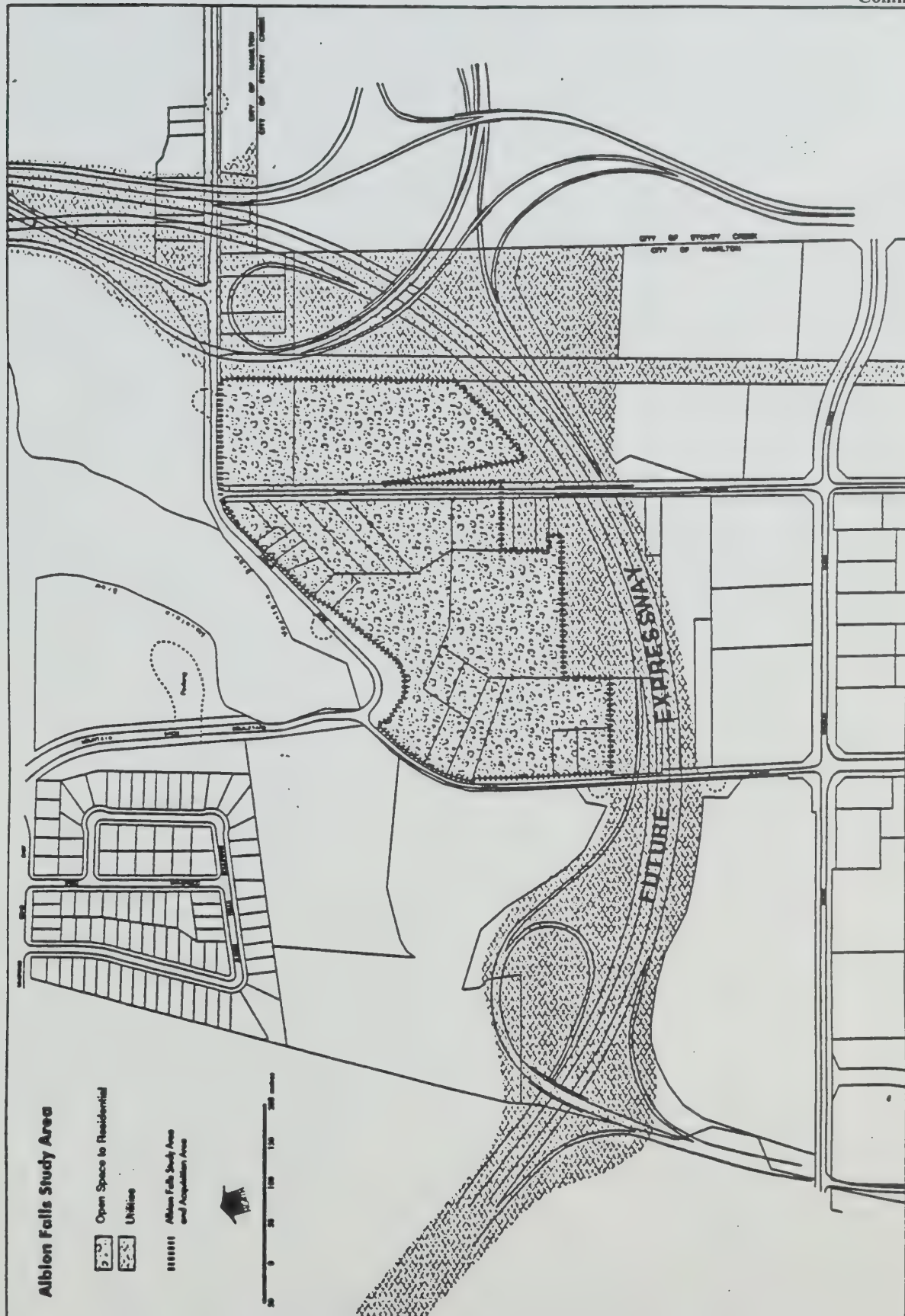
**ALDERMAN D. DRURY, CHAIRPERSON
PLANNING AND DEVELOPMENT COMMITTEE**

**Stella Glover
Secretary**

1995 February 22

1995 February 28

Appendix "A" as referred to in
Section 1(a) of the SEVENTH Report
of the Planning and Development
Committee for 1995



1995 February 28

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **SIXTH** Report for 1995 and respectfully recommends:

1. (a) That the City of Hamilton resolve Ontario Court (General Division) Action No. 5646/94 by the payment of \$1,500., inclusive of all claims for damages, interest and costs to the Plaintiffs, Paola, Guiseppe, Maria, Anthony and Joseph Gabriele; and,

(b) That the Plaintiffs be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,

(c) That Ontario Court (General Division) Action No. 5646/94 in any and all cross and counterclaims in that action be dismissed as against the City of Hamilton without costs.
2. (a) That the City resolve Ontario Court (General Division) Action No. 5861/94 by the payment to the Plaintiffs, Rosalie, Martin and Irene Karl of the sum of \$35,875., inclusive of all claims for damages, interest and costs; and,

(b) That the Plaintiffs, Rosalie, Martin and Irene Karl, be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,

(c) That Ontario Court (General Division) Action No. 5861/94 in any and all cross and counterclaims in that action be dismissed as against the City of Hamilton without costs.
3. (a) That the City resolve Ontario Court (General Division) Action No. 30373/91 by payment to the Plaintiffs, Michael Haw and Lynn Haw personally, and as Litigation Guardian for the infant Plaintiffs Michael Haw and Christopher Boylan of the sum of \$76,475.40, inclusive of all claims for damages, interest and costs; and,

(b) That the Plaintiffs be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,

(c) That Ontario Court (General Division) Action No. 30373/91 be dismissed without costs.

1995 February 28

4.
 - (a) That the City of Hamilton resolve Ontario Municipal Board Action No. L 910021, claimant Ronald Del Cotto, regarding compensation for the expropriation of 32 Stinson Street in the City of Hamilton, by the payment to the claimant of \$102,000., inclusive of all claims for compensation, interest, and costs; and,
 - (b) That the claimant, Ronald Del Cotto, be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,
 - (c) That Ontario Municipal Board Action No. L 910021 be dismissed or discontinued without costs; and,
 - (d) That this settlement be financed out of the Reserve for Park Lands (5% Land Dedication) Account Centre CH 00201.
5. That all merits due for the period 1993 January 1 to 1993 June 13 be paid to eligible employees.
6.
 - (a) That approval be given to the Women's Centre of Hamilton Wentworth, Sexual Assault Prevention Month Committee to use the City Hall Forecourt and Second Floor Foyer for its second annual Community Awareness Walk, opening ceremonies and display on Sunday, 1995 April 30th, between the hours of 12:30 o'clock p.m. until 3:30 o'clock p.m.; and,
 - (b) That approval be given for the use of the Second Floor Foyer from Sunday, 1995 April 30th, until Wednesday, 1995 May 31st, for visual displays commemorating Sexual Assault Prevention Month; and,
 - (c) That the City Clerk be granted authority to approve similar use in future years provided it does not interfere with any other activity.
7.
 - (a) That the City be authorized to enter into Extension Agreements, if required, in a form satisfactory to the City Solicitor and the City Treasurer pursuant to Section 8 of the Municipal Tax Sales Act, with the owners of the following properties to extend the time open for payment of realty tax arrears in accordance with the policy for extension agreements approved by City Council on 1994 June 28:

366 Victoria North	301 James North
31 Baillie	607 Queen Victoria
4 Tiffany	162 Barton West
 - (b) That the Mayor and City Clerk be authorized to execute the aforesaid by-law and extension agreements.

1995 February 28

8. That the Statement of the Treasurer, attached herewith and marked Appendix "A", summarizing remuneration and expenses paid to Members of Council and Members of Other Bodies for the year 1994 be received by City Council.
9. That the listing of Appointments To Permanent Positions with the Corporation of the City of Hamilton to 1995 February 10, attached herewith and marked Appendix "B", be approved.
10. That the position of Traffic Legislative Co-ordinator be reclassified from Level "M" to Level "L" of the Non-Union Salary Schedule, retroactive to 1992 February 17.
11. That approval be given to exercise the City's option and issue a purchase order to Toromont Industries Limited, Cimco Refrigeration, Toronto, Ontario in the amount of \$131,015.51 per year including (\$8,571.11 GST) for mechanical maintenance of refrigeration ice making equipment in ten (10) City owned arenas during 1995 and 1996, being the only tender received in accordance with specifications issued by the Manager of Purchasing (Ref: C15-26-92.)
12.
 - (a) That the City Treasurer be authorized to set aside up to fifty percent (50%) of H.E.C.F.I.'s annual surplus, if any, effective 1994 and beyond, to a maximum cumulative balance of \$250,000., in a reserve for budget stabilization; and,
 - (b) That this reserve for budget stabilization be credited with interest earned annually; and,
 - (c) That the reserve for budget stabilization be utilized with the approval of the H.E.C.F.I. Board and City Council to fund H.E.C.F.I.'s net operating budget shortfall, if any, for those years with disappointing financial results.
13. That further to the approval of the Parks and Recreation Committee respecting the disposition of "Club Accounts" surplus being carried forward, the following be approved:
 - (a) That an amount of \$12,254. for the Hamilton Men's Basketball Association be carried forward to 1995 and that the amount remaining after deducting the 1994/95 Season Expenses be returned to the Association; and,
 - (b) That a "Reserve for System Improvements" for the Culture and Recreation Department be approved and that the reserve be credited with interest in accordance with current policy; and,

1995 February 28

- (c) That the surplus within the Program Accounts to the end of 1994 of an estimated \$252,851. be transferred to the reserve; and,
 - (d) That the balance in the Control Account No. 15406-00001 of \$19,839. be transferred to the reserve; and,
 - (e) That staff be authorized to issue a Request for Proposal for the automation of the cash handling and reporting of revenues collected by the Culture and Recreation Department; and,
 - (f) That an amount of up to \$2,200. be approved for the purchase of an "All Terrain" wheelchair for use in the Special Needs Program.
14. (a) That the 1994 Current Budget surplus be transferred to the Reserve for Tax Stabilization, 00135; and,
- (b) That the surplus of \$42,504.19, resulting from the International Children's Games, be carried forward to 1995 until the Games Committee can recommend to Committee and Council the method of disposition; and,
- (c) That transitional funding be provided to any departments incurring a 1994 net deficit position solely as a result of transitional costs related to 1994 Budget Reduction Packages.
15. That the Treasurer be authorized to close out accounts with unclaimed balances after a period of two years and credit these amounts to the Reserve for Contingency subject to future claims.
16. (a) (i) That approval be given to issue a Purchase Order in the amount of \$812,130. inclusive of G.S.T. (\$53,130.) to commission Marsh Energy Inc. of Burlington, Ontario for the design, engineering and project management for a cogeneration, load displacement installation for the Central Utilities Plant in accordance with the Request For Proposal (Ref: C15-14-94) issued by the Manager of Purchasing on 1994 November 2, subject to the approval of the Minister of Municipal Affairs for the Province of Ontario responsible for the Canada/Ontario Infrastructure Works Program of the revised "Schedule 2" and change of scope; and,
- (ii) That the Mayor and City Clerk be authorized to execute a contract in a form satisfactory to the City Solicitor; and,

1995 February 28

- (b) That approval be given to include in the 1995 - 2004 Capital Budget the sum of \$1,663,411., as additional funding required for the City's portion of the financing for the Central Utilities Plant - Cogeneration Project; and,
- (c) That approval be given to the Director of Property to examine with Marsh Energy Inc. the feasibility of financing the City's share of the overall project cost through an ESCO (Energy Service Contract) or other type of innovative financing vehicle; and,
- (d)
 - (i) That the Director of Property be authorized to initiate negotiations with the Province of Ontario, Ministry of Government Services, regarding the recovery of costs for utility services supplied by the Central Utilities Plant to the Ontario Government, Ellen Fairclough Building as indicated in the existing agreement between the City of Hamilton and Province of Ontario; and,
 - (ii) That the Director of Property be authorized to initiate similar negotiations with the Art Gallery of Hamilton regarding the recovery of costs for utility services supplied to it by the Central Utilities Plant; and
 - (iii) That the Director of Property be authorized to initiate similar negotiations with the Parking Authority for the recovery of utility costs supplied by the Central Utilities Plant to the Authority's underground Parking Garage/Offices.
- 17.
 - (a) That in accordance with Section 26 (1)(2) of Ontario Regulation 546/90 of the Liquor Licence Act, 1990, the Council of the Corporation of the City of Hamilton deems the 1995 Juno Awards to be held in Hamilton on Friday, 1995 March 24th to Sunday, 1995 March 26th inclusive to be an event of municipal/national significance; and,
 - (b) That the Council of the Corporation of the City of Hamilton deems the Hamilton Music Scene '95 Festival to be held in Hamilton in conjunction with the Juno Awards on Saturday, 1995 March 25th to be an event of municipal significance City-wide; and,
 - (c) That as both of these events are municipally significant, that the Liquor Licence Board of Ontario be requested to give favourable consideration to extending the hours of operation at all existing licenced establishments to a 2:00 o'clock a.m. closing.

1995 February 28

18. That leave be granted to introduce the following Bills:

- (a) D-16 A By-law to Authorize an Extension Agreement for Payment of Realty Tax Arrears.
- (b) D-17 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

Respectfully submitted,

**ALDERMAN B. CHARTERS, CHAIRPERSON
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan K. Reeder, Secretary
1995 February 21**

1995 February 28

City of Hamilton
Treasury

Appendix "A" referred
to in Section 8 of the
SIXTH Report of the
Finance and Administration
Committee for 1995.

STATEMENT OF THE TREASURER
for the period ending December 31, 1994

(Prepared Pursuant to sections 242, 243 and 247 of the Municipal Act,
R.S.O. 1990, Chapter M.45)

1. REMUNERATION

(a) Members of Council	Salary*
Agostino, D.	\$20,492.68
Agro, V. J.	20,492.68
Anderson, T.	20,492.68
Caplan, M.	2,364.56
Charters, R.	20,492.68
Cooke, T.	18,758.68
Copps, G.	20,429.68
D'Amico, F.	20,492.68
Drury, D.	19,923.88
Eisenberger, F.	20,492.68
Jackson, T.	19,923.88
Kiss, M.	20,492.68
McCulloch, W.	20,492.68
Merling, H.	20,492.68
Morelli, B.	20,492.68
Morrow, R.	65,576.16
Ross, D.	20,492.68
Wilson, D.	<u>20,492.68</u>
	<u>\$392,952.00</u>

*One-third of these amounts deemed to be "Expenses" in accordance with section 255 of the
Municipal Act.

b) Committee of Adjustment	
Member	Honorarium
Dudzic, M.	\$2,600.00
Greenlee, M.	2,100.00
Korz, G.	2,100.00
Law, B.	2,100.00
Takhar, N.	<u>2,100.00</u>
	<u>\$11,000.00</u>

1995 February 28

City of Hamilton
Treasury

STATEMENT OF THE TREASURER
for the period ending December 31, 1994

(Prepared Pursuant to sections 242, 243 and 247 of the Municipal Act,
R.S.O. 1990, Chapter M.45)

(c) License Examining Board

Member	Honorarium
Allison, H.	\$ 800.00
Clothier, R.	1,000.00
Cooper, H.	1,100.00
Gibson, D.	900.00
Green, R.	900.00
Groves, L.	1,000.00
Hardie, D.	1,200.00
Holm, M.	1,300.00
Kaut, H.	1,200.00
Korz, G.	1,200.00
Langdon, D.	1,200.00
MacIntyre, D.	1,200.00
Penko, G.	1,100.00
Reilly, M.	700.00
Taffs, R.	1,100.00
VanDerbeek, P.	<u>1,500.00</u>
	<u>\$17,400.00</u>

2. EXPENSES

(Residence telephone allowance, travelling and local grant to Mayor)

(a) Members of Council	Amount
Agostino, D.	\$161.46**
Agro, V. J.	161.46**
Anderson, T.	161.46**
Caplan, M.	13.46**
Charters, R.	161.46**
Cooke, T.	148.01**
Copps, G.	nil
D'Amico, F.	161.46**
Drury, D.	161.46**
Eisenberger, F.	1,318.30
Jackson, T.	161.46**
Kiss, M.	161.46**
McCulloch, W.	3,662.81
Merling, H.	161.46**
Morelli, B.	161.46**
Morrow, R.	30,767.28
Ross, D.	161.46**
Wilson, D.	<u>161.46**</u>
	<u>\$37,847.38</u>

**telephone allowance only

1995 February 28

City of Hamilton
Treasury

STATEMENT OF THE TREASURER
for the period ending December 31, 1994

(Prepared Pursuant to sections 242, 243 and 247 of the Municipal Act,
R.S.O. 1990, Chapter M.45)

(b) Public Library Appointees

Member	Honorarium
Down, T.	\$1,858.90
Rogers, P.	1,813.78
Syko, J.	<u>1,964.52</u>
	<u>\$5,637.20</u>

(c) H.E.C.F.I. Appointees

Bill Tidball	\$1,356.14
Mayor R. Morrow	<u>850.75</u>
	<u>\$2,206.89</u>

1995 February 28

Appendix "B" referred
to in Section 9 of the
SIXTH Report of the
Finance and Administration
Committee for 1995.

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. Christopher Ridgewell	I	Truck Driver (D13)	Public Works	Replacing Mr. R. Bourque - promoted, December 12/94	\$35,686.56	Jan. 17/95
Mr. Fred Rolfe	I	Rink Attendant II/ Greenskeeper II (D14)	Culture & Recreation	Replacing Mr. R. Kitchen - promoted, Nov. 21/94	\$36,052.64	Jan. 23/95
Mr. Thomas Thurston	I	Assistant Maintenance Foreman/Woman (F1)	Cemeteries	Replacing Mr. J. Gibbs - promoted, May 16/94 Mr. T. Szrajber - retired, April 30/94	\$38,074.40 to \$43,763.20	Jan. 18/95
Mr. Larry Torresin	I	Foreman/Woman II (F1)	Public Works	Replacing Mr. A. Unelli - retired, Dec. 30/94	\$38,074.40 to \$43,763.20	Jan. 23/95
Mr. Thomas Warburton	I	Foreman/Woman II (F2)	Public Works	Replacing Mr. T. Polowy - lateral move to Foreman II Additional Staff Council Approved March 29, 1994	\$39,884.00 to \$45,843.20	Jan. 01/95

Prepared February 10/95

Status
Internal - I
External - E

1995 February 28

REPORT OF THE NOMINATING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Nominating Committee presents its **THIRD** Report for 1995 and respectfully recommends:

1. That Alderman _____ be appointed Chairman of the Committee of the Whole for a term commencing March, 1995.

RESPECTFULLY SUBMITTED

**MAYOR R. M. MORROW
CHAIRMAN,
NOMINATING COMMITTEE**

S. G. Hollowell, Secretary
1995 February 28

NOTICES OF MOTION

NOTICE OF MOTION - MAYOR R. MORROW

MOVED BY: MAYOR MORROW

SECONDED BY: ALDERMAN

"That the City of Hamilton seek entrance to the GTA".

NOTICE OF MOTION - ALDERMAN D. WILSON

MOVED BY: ALDERMAN

SECONDED BY: ALDERMAN

"That any member of City Council who seeks election to higher office be required to resign their seat once they are officially nominated as a candidate".

**MEETING OF THE COUNCIL
OF THE CORPORATION OF THE CITY OF HAMILTON**

**TUESDAY, 1995 FEBRUARY 28
7:30 O'CLOCK P.M.
COUNCIL CHAMBER, CITY HALL**

B I L L S

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO.95-

TO AUTHORIZE AN EXTENSION AGREEMENT

FOR PAYMENT OF REALTY TAX ARREARS

WHEREAS the Municipal Tax Sales Act, R.S.O. 1990, c.M.60, (hereinafter referred to as the "Act"), states that the Council of a municipality may, by by-law, authorize an Extension Agreement with the owner of land in arrears of realty taxes in excess of three (3) years after the registration of a Tax Arrears Certificate and before the expiry of the one year redemption period;

AND WHEREAS the Municipal Tax Sales Act (section 8) states that the said Extension Agreement may extend the period of time, upon the terms specified therein, within which the Cancellation Price is to be paid;

AND WHEREAS, pursuant to the Municipal Tax Sales Act, the Treasurer did register a Tax Arrears Certificate indicating arrears of realty taxes in excess of three (3) years on the lands described in Schedule "A" annexed hereto,

AND WHEREAS, the said land is recorded by The Corporation of the City of Hamilton under the specific Tax Roll Serial Nos. indicated in Schedule "A" annexed hereto.

AND WHEREAS, The Owners of the lands described in Schedule "A" have requested that the City exercise its discretion to pass a bylaw to authorize an Extension Agreement to extend the period of time in which the Cancellation Price may be paid.

AND WHEREAS the one year period within which this by-law may be enacted will therefore expire on the days described as the redemption date of Schedule "A" attached hereto.

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. (a) The time open for acceptance and the permitted payments of the Cancellation Price beyond the expiry of the said one year redemption period as set out in Schedule "A" are hereby authorized to be extended pursuant to an Extension Agreement.

(b) The owner of the land described in Schedule "A" may, on or before the redemption date, enter into the Extension Agreement with The Corporation of the City of Hamilton, and the Mayor and City Clerk are hereby authorized to execute the Extension Agreement on behalf of the City.
2. As provided in the Municipal Tax Sales Act, notwithstanding any other provision of this Extension Agreement, it is understood and agreed that while the Extension Agreement remains a subsisting agreement in good standing:

- (a) that the Extension Agreement does not reduce the amount of the Cancellation Price.
- (b) that the Extension Agreement does not prohibit any person from paying the Cancellation Price at any time.
- (c) that any person may pay the Cancellation Price at any time.
- (d) that the Extension Agreement terminates upon payment of the Cancellation Price by any person.
- (e) that the Extension Agreement shall cease to be considered a subsisting Extension Agreement for purposes of section 9(2) of the Act, when and under what conditions set out in the Extension Agreement.

3. As also provided in the Municipal Tax Sales Act,

- (a) while such Extension Agreement is in good standing, the period of such time shall not be counted in calculating the time within which the Cancellation Price may be paid.
- (b) upon default by owner in complying with the Extension Agreement or any term thereof, the Extension Agreement shall cease and, (unless there remains time within which the Cancellation Price may be paid and is paid), the land shall be offered for sale by the Treasurer.

PASSED this . . . day of 1995 A.D.

ACTING CITY CLERK

MAYOR

SCHEDULE "A"
EXTENSION AGREEMENTS

A)	PROPERTY ADDRESS	366 VICTORIA NORTH
	SERIAL NUMBER	03 02210 1180
	BRIEF LEGAL DESCRIPTION	PLAN 163 PART LOTS 6 TO 8 & 14 TO 16
	DATE OF REGISTRATION	APRIL 13, 1994
	INST # OF TAX ARREARS CERTIFICATE	180553
	REDEMPTION DATE	APRIL 13, 1995
	TOTAL ARREARS	\$41,729.72
B)	PROPERTY ADDRESS	301 JAMES NORTH
	SERIAL NUMBER	02 01265 6660
	BRIEF LEGAL DESCRIPTION	PLAN 127 BLK 1 PART LOTS 1 AND 2
	DATE OF REGISTRATION	APRIL 13, 1994
	INST # OF TAX ARREARS CERTIFICATE	180552
	REDEMPTION DATE	APRIL 13, 1995
	TOTAL ARREARS	\$15,131.49
C)	PROPERTY ADDRESS	31 BAILLIE
	SERIAL NUMBER	02 01435 8960
	BRIEF LEGAL DESCRIPTION	PLAN 48 PART 2 AND 3 IN BLK BOUNDED BY BAILLIE
	DATE OF REGISTRATION	APRIL 6, 1994
	INST # OF TAX ARREARS CERTIFICATE	180129
	REDEMPTION DATE	APRIL 6, 1995
	TOTAL ARREARS	\$2,503.78
D)	PROPERTY ADDRESS	607 QUEEN VICTORIA
	SERIAL NUMBER	06 07010 2281
	BRIEF LEGAL DESCRIPTION	CON 7 PART LOT 6 BTN HAM
	DATE OF REGISTRATION	MARCH 8, 1994
	INST # OF TAX ARREARS CERTIFICATE	177898
	REDEMPTION DATE	MARCH 8, 1995
	TOTAL ARREARS	\$9,643.91
E)	PROPERTY ADDRESS	4 TIFFANY
	SERIAL NUMBER	02 01255 7620
	BRIEF LEGAL DESCRIPTION	PLAN 119 BLK 1 PART LOT 13 AND 14 RP 62R7812 PARTS 3 TO 8
	DATE OF REGISTRATION	APRIL 6, 1994
	INST # OF TAX ARREARS CERTIFICATE	180131
	REDEMPTION DATE	APRIL 6, 1995
	TOTAL ARREARS	\$18,222.39
F)	PROPERTY ADDRESS	162 BARTON STREET WEST
	SERIAL NUMBER	02 01255 6000
	BRIEF LEGAL DESCRIPTION	PLAN 119 BLK F PART LOT 16 AND 17
	DATE OF REGISTRATION	APRIL 6, 1994
	INST # OF TAX ARREARS CERTIFICATE	180128
	REDEMPTION DATE	APRIL 6, 1995
	TOTAL ARREARS	\$8,543.02

BY-LAW NO. 95 -

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 28th DAY OF FEBRUARY A.D., 1995.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 28th day of February A.D. 1995

ACTING CITY CLERK

MAYOR

CAY ON HBL A05
A31
1995



K. Roberts
CEO/Library

1995 March 6

URBAN MUNICIPAL

MAR 9 1995

NOTICE OF MEETING

COMMITTEE OF THE WHOLE
&
CITY COUNCIL

GOVERNMENT DOCUMENTS

Thursday, 1995 March 9
3:00 o'clock p.m.
Room 233, City Hall

A handwritten signature in black ink, appearing to read "J. J. Schatz".

J. J. Schatz
City Clerk

AGENDA:

1. Opening Remarks - Mayor R. M. Morrow
2. Ontario Works Arts and Heritage Centre - Finance and Administration Committee Referral
3. 1995 - 2004 Provisional Capital Budget Program
4. Adjournment

NOTE: A formal meeting of City Council will follow.

OFFICE OF THE CITY CLERK

MEMORANDUM

TO: Allan C. Ross
Treasurer
Treasury Department

YOUR FILE:

FROM: Susan K. Reeder, Secretary
Finance and Administration Committee

OUR FILE:
PHONE: 546-2753

SUBJECT: Capital Budget Meeting

DATE: 1995 March 6

As you are aware, the Finance and Administration Committee, at its meeting held Tuesday, 1995 February 7th, had discussion respecting the decision made at the previous 1995 January 24th meeting concerning the request of the Ontario Workers' Arts and Heritage Centre for capital funding in the purchase of The Hamilton Custom House.

At the 1995 February 7th meeting, the Finance and Administration Committee reconfirmed its direction that this request be referred to the City's Capital Budget meeting which is scheduled for Thursday, 1995 March 9th.

Further to this reconfirmation, the Committee directed that the item respecting the Ontario Workers' Arts and Heritage Centre be placed at the beginning of the Agenda.

Trusting that confirmation of this direction is of assistance.

SKR

cc Alderman B. Charters, Chairperson, Finance and Administration Committee
Alderman D. Wilson
J. Pavelka, Chief Administrative Officer

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1995 March 6

REPORT TO: Joe J. Schatz
City Clerk

FROM: J. G. Pavelka, P.Eng.
Chief Administrative Officer

Allan C. Ross
Treasurer

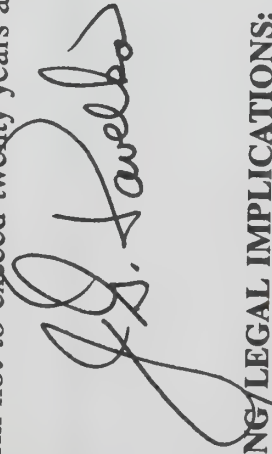
SUBJECT: 1995-2004 Provisional Capital Budget Program

RECOMMENDATION:

- (a) That the City of Hamilton 1995 Capital Budget and 1996-2004 Capital Forecast as outlined on Schedule "A" and "B" attached, representing the following financial parameters, be approved:
- (i) the average debenture charges expressed as a percentage of levy be 11.62% for the 10 year period inclusive of Canada/Ontario Infrastructure Works Program.
 - (ii) the average compound rate of increase per year in debenture charges be 2.04%.
- (b) That the provision for capital levy with specific reference to the "Pay-As-You-Go" policy, be increased to a three mill capital levy in 1995, a four mill capital levy in 1996, a five mill capital levy in 1997 and a six mill capital levy in 1998 and onward.

RECOMMENDATION: - Continued

- (c) (i) That the 1995 projects be approved for implementation as outlined on the following pages (Schedule "A" - Page 1 and 2 - Municipal Projects and Page 11 - the Parking Authority Projects) indicating the method of financing, and that the originating Department Head be directed to proceed with these projects.
- (ii) That the City Solicitor be authorized to prepare the appropriate by-laws for those projects requiring debenture financing for approval of City Council (as indicated on Schedule "A", Column 18).
- (iii) That the Regional Municipality of Hamilton-Wentworth be requested to consent to the issuance of debentures for a term not to exceed twenty years as required for those Projects requiring debenture financing.



FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The 1995 Capital Budget impacts on the Current Budget due to the cost implications from a financing perspective (debt charges, capital levy and provision of reserves), and with operating costs of projects. The proposed Capital Budget is intended to:

- (i) reduce funding requirements for 1995 debt charges by \$147,000. over 1994 (1994 - \$15,206,000, 1995 - \$15,059,000.);

FINANCIAL/STAFFING/LEGAL IMPLICATIONS: - Continued

- (ii) require net operating costs of \$173,000. (gross \$536,000. less savings of \$363,000.) to be funded in the 1995 Current Budget; it should, however, be noted that savings generated from these projects in the amount of \$363,000., will not be realized until after the completion of the projects and therefore provision has been included within the 1995 Current Budget for the gross costs of \$536,000.
- (iii) limit debt charges to the 1995 level for 1996 with an average compound rate of increase of 2.04% during the ten year period;
- (iv) increase financing from the Reserve for Development Charges by \$22,728,000. (1995-2004 Capital Budget provision of \$24,799,000. vs 1994-2003 provision of \$2,071,000.) incorporating potential development charges revenues resulting from the ongoing Development Charges Study.

BACKGROUND:

Introduction:

It is with pleasure that we present for your consideration the Provisional Capital Budget Program for the ten year period 1995 to 2004 inclusive. The forty-first consecutive Capital Budget has been developed by Management Team through its Capital Budget Sub-Committee under the direction and the guidance of the Standing Committees of Council and the Committee of the Whole.

The Capital Budget Sub-Committee consisted of:

Victor J. Abraham, Director of Local Planning, Chairman
Dan W. Vyce, Director of Property, Vice-Chairman
J.G. Pavelka, P.Eng., Chief Administrative Officer
Peter G. Baker, General Manager, Hamilton Parking Authority
Patrice Noé Johnson, Interim Director of Culture and Recreation
Len King, Building Commissioner

Introduction: - continued

The Capital Budget Sub-Committee consists of: - continued

Ken Roberts, Chief Executive Officer, Hamilton Public Library
Allan C. Ross, Treasurer
Nik R. Adhya, Manager of Budgets, Secretary

The Sub-Committee met throughout the year to discuss capital budget issues, to monitor and control capital expenditures and recommend the Provisional Capital Budget to the Committee of the Whole and City Council.

Management Team in recommending this Capital Budget has reinforced past policies of controlling capital expenditures, while ensuring that the City has the financial capability to provide the physical, social and cultural facilities necessary for the progress of the City of Hamilton.

With the approval of the Standing Committees and the Committee of the Whole, Management Team completed a review of the 1995-2004 provisional Capital Budget Program. It considered a number of options and alternatives in recognition of the difficult economic times and the Committee of the Whole's directives regarding current budget impacts.

The Corporate issues that were addressed include:

- ♦ Guidelines for Capital projects:
 - (a) (i) Strategic Direction
 - Image of the City
 - Quality of life
 - (ii) Public/Employee Safety/Liability - Corporate
 - (iii) Legislated by Senior Levels of Government

The Corporate issues that were addressed include: - continued

- ♦ Guidelines for Capital projects: - continued
 - (a) (iv) Needs Analysis/Feasibility Study
 - Demand
 - Equity
 - Cost/Benefit
 - (v) Economic Development
- (b) A higher priority was placed on projects with the following criteria:
 - (i) create jobs in the private sector;
 - (ii) labour intensive;
 - (iii) reduce operating costs for the Corporation;
 - (iv) maintain existing municipal roads, buildings, or other basic municipal infrastructure.

♦ Ranking Priority:

The ranking decisions were made, as previously reported to the Committee of the Whole, based on the priority guidelines as established by the Management Team during the budget process, using the following criteria:

- | | |
|------------------|--|
| First Priority: | (i) Legislated |
| | (ii) Public and Employee - Health & Safety |
| | (iii) Maintain Existing Municipal Roads, Buildings or Other Basic Infrastructure requirements |
| Second Priority: | (i) Business Criteria - Reduce ongoing operating costs (staffing and/or resources requirements) for the City |
| | (ii) External Funding - Include new Federal/Provincial or other external funding |
| | (iii) Are labour-intensive and produce jobs in the Private Sector |

The Corporate issues that were addressed include: - continued

- ♦ Ranking Priority: - continued

Operationally, these priorities mean that Capital Projects with operating savings in Current Budget are ranked high in priority as are Repairs & Maintenance - Type Projects. Service Level Enhancement Projects on the other hand are ranked relatively low in priority and are less likely to be included within funding envelope. Staff have been working towards improved capital programming and planning for the works necessary to maintain our existing infrastructure. These increased infrastructure requirements in combination with capital financing limitations mean that many service level enhancement projects are deferred well back in the 10 year plan.

- ♦ Reviewed the overall "size" of the ten-year plan versus overall capital financing availability.

- ♦ Scenarios:

Description

Amount
(000's)
\$511,812
(172,032)
\$339,680

Total Funding Request (10 Year Period)
Less Receipts and Subsidies
Net Funding Request

	SCENARIO		
	"A" (000's)	"B" (000's)	"C" (000's)
<u>Financing</u>			
Net Funding Request	\$339,680	\$339,680	\$339,690
Capital Levy			
Reserves	\$ 22,000	\$ 55,608	\$ 87,771
Debentures	47,763	47,763	47,763
Annual Operating Costs	70,667	103,535	120,018
Sub-Total Financing Availability	(11,963) <u>\$128,467</u>	<u>\$206,906</u>	<u>\$255,552</u>
Shortfall	\$211,213	\$132,774	\$ 84,128

The Corporate issues that were addressed include: - continued

- ♦ Scenarios: - continued

NOTE:

Scenario "A" - No impact on Current Budget and Capital Levy remains at 1994 level of 2.2 mills

Scenario "B" - Same assumptions as approved last year - Capital Levy 1995 - 3 Mills, 1996 - 4 Mills up to 6 Mills in 1998 onward; debt charges increase 0% for first two years and increase 3% for remainder

Scenario "C" - Increase in Capital Levy: 1995 - to 4 Mills, 1996 - 5 Mills, 1997 - 6 Mills, etc. to 13 Mills by 2004; debt charges increase 0% for first two years and increase 3% for remainder

The Management Team recommended Scenario "B" for consideration of the Committee of the Whole.

- ♦ Pay-As-You-Go policy:

Last year's plan provided for a 3 mill capital levy in 1995 increasing to 4 mills in 1996, 5 mills in 1997 and up to 6 mills by 1998 and onward. This year's parameter maintained last year's recommendation. In addition to these amounts, HECFI is also preparing within their Current Budget an amount of \$62,600. as a contribution to the HECFI capital reserves, while the Library separately provides for ongoing branch upkeep, etc. through its own reserves.

- ♦ Debt Charges:

This year's plan limits debt charge commitments for the City to below the prior year's levels. Debt charges will be reduced in 1995 by \$147,000. over 1994 with the help of savings from the Sinking Fund Debenture Surplus. Projected debt charge levels are depicted on Schedule "B".

The Corporate issues that were addressed include: - continued

♦ Debt Charges: - continued

The debenture cost of all the preliminary capital projects received from City Departments and Local Boards would have resulted in debt charges averaging 16.4% of the levy (as opposed to the previous years' 15.6%). The challenging assignment for this Capital Plan was to control debt charges while providing for required capital improvements. The proposed plan meets these objectives while reducing the 1995 debt charges by \$147,000. and maintaining a 0% increase in debt charges for the year 1996 of the plan, with an average compound rate increase of 2.04% during the ten year period of the Capital budget. The Reserve for Debt Charges will also be used to smooth year-to-year fluctuations in the provision of debt charges.

♦ New procedures in relation to Annual Debt Repayment Limit:

As of January 1, 1993, a municipality may borrow and undertake financial obligations that extend beyond the present term of Council without Ontario Municipal Board approval, as long as it does not exceed its prescribed annual repayment limit. This limit is calculated using a formula based on a principle that annual payments relating to debt charges and other related financial obligations should not exceed 25% of revenue fund own source of revenues (previously 20% of revenue fund expenditures) as reported in the Financial Information Return.

The present limit established for the City of Hamilton is \$43,247,490. in annual debt charges and financial obligations based on the 1993 Financial Information Return. Presently, the City's debt charges (municipal portion) are projected to be \$15,059,000. in 1994, demonstrating that City debt levels are well below allowable O.M.B. limits.

♦ Reserve for Development Charges:

A number of projects throughout the 10 year plan are proposed for funding from development charges. The projects were so identified through discussions and interaction with the ongoing work on the development charges proposal which will also be brought forward for presentation at the March 9th meeting.

The Corporate issues that were addressed include: - continued

◆ Reserve for Development Charges: - continued

The development charges work and the Capital Budget directly affect each other. The Budget as presented assumes the City will take significant advantage of development charge levy possibilities identified through that study. An estimated amount of \$24,799,000. from development charges has been identified in the 10 year Capital Plan. To the extent that any decisions are made to limit the amount of development charges levied, this amount of funding will also be limited. Any changes to the expected revenue will be revised and adjusted accordingly during the preparation of future years Capital Budgets and Forecasts.

◆ Reserve for 5% Park Development:

At present the reserve has a provision estimated at \$3.2 million and is expected to recover \$400,000. to \$600,000. each year. Based on these assumptions the Management Team has allocated \$200,000. for the first five years and \$100,000. for the next five years for Play Structures as requested. The park development and redevelopment are maintained at \$600,000. for 1995 through 1999 and \$600,000. per year for 2000 to 2004 is also expected to be funded from other reserves, possibly by the Reserve for Development Charges. Park acquisitions were reduced to \$143,000. for 1995 and maintained at \$400,000. annually for the next nine year in order to stay within the funding level. This reserve can not fund the additional requirement for park development and redevelopment beyond the \$600,000. annual level. It should be noted that the City has received Parks Credits (i.e. more than 5% Land Dedication required by the Developer) and has a potential liability to be allowed for at an estimated \$1.4 to \$1.6 million.

◆ Projects with Subsidy and Receipts:

A policy has been established (Item 2 of the TWELFTH Report of the Finance and Administration Committee adopted by Council 1993 May 25) as follows:

- "(a) That a policy be established where the budget for a capital project include a subsidy, donation, cost sharing or an allocation of funding from an outside source, the project will proceed only upon receipt of a definite commitment to that external funding to the satisfaction of City Council; and,

♦ Projects with Subsidy and Receipts: - continued

- (b) That the City Treasurer be direct to apply any unbudgeted grant or other funding received from an external source, for projects previously approved by City Council, towards the financing of those projects and reduce the authorized financing from reserves or debentures accordingly, and further that these unbudgeted receipts not be used to increase the gross cost of the project; and,
- (c) That any exception to (a) and (b) noted above be forwarded to the Capital Budget Sub-Committee and Management Team for review and recommendation for consideration by the Finance and Administration Committee."

♦ 1995 Capital Budget Projects:

As previously reported, in developing the proposed budget staff targeted 1995 projects for detailed review. Staff will continue the process during 1995 of more detailed review of 1996-2004 projects to ensure that all candidate projects receive detailed scrutiny before their consideration in the 1996-2005 Capital Budget and Forecast.

Comparison of Capital Budget to Prior Year's Level and to Proposed Financing:

Department	Recommended Submission - Net Budget 1994-2003	Recommended Submission - Net Budget 1995-2004
Information Systems	\$ 569,000	\$ 450,000
Housing Department	1,389,000	1,339,000
Treasury	0	300,000
City Clerk	0	550,000
Human Resources Centre	500,000	0
Building	0	1,750,000
Property	32,406,000	29,060,000
H.S.P.C.A.	2,500,000	0
Fire	7,298,000	8,841,000
Roads	15,544,000	14,988,000
Traffic	608,000	812,000
Public Works: Local Roads, Streets & Fleet	69,282,000	72,525,000
Culture and Recreation	26,050,000	37,979,000
Public Works: Parks	23,166,000	21,174,000
H.E.C.F.I.	5,070,000	5,190,000
Hamilton Public Library	706,000	6,755,000
Public Works: Community Renewal	6,843,000	8,868,000
Planning	0	400,000
Parking Authority	15,900,000	1,500,000
General Contingency	<u>5,000,000</u>	<u>0</u>
Total Recommended	\$212,831,000	\$212,481,000
Projects Not Required	3,038,000	0
Projects for Future Consideration - No Specific Funding Recommended (Outside the Ten Year Plan)	<u>85,106,000</u>	<u>127,299,000</u>
TOTAL	<u>\$300,975,000</u>	<u>\$339,780,000</u>

Financial Impact - Capital Budget

	Debt Charges as an Average % of Adjusted Municipal Levy		Average Compound Rate of Increase in Debt Charges over Prior Year	
	<u>1994-2003</u>	<u>1995-2004</u>	<u>1994-2003</u>	<u>1995-2004</u>
First Draft	15.6%	16.4%	4.6%	8.7%
Final Draft	12.1%	11.6%	1.2%	2.0%

Mill Rate Impact of Provisional Capital Budget (With Infrastructure Works):

Year	Capital Financing		Current	
	Debt Charges (\$000's)	Capital Levy (\$000's)	Residential Mill Rate	Operating Cost (net) (\$000's)
1995	\$15,059	\$3,014	16.8020	\$ 173
1996	15,059	4,039	17.7549	226
1997	14,652	5,074	17.9792	59
1998	16,197	6,119	19.9410	484
1999	15,723	6,150	19.1619	720
2000	15,738	6,180	18.8249	262
2001	16,641	6,211	19.2422	768
2002	17,733	6,242	19.7920	309
2003	17,507	6,274	19.2469	837
2004	18,613	6,305	19.7717	1,677

As seen from this table, the provisional plan forms a solid basis for capital financing into the future while controlling current budget impacts on a multi-year basis. You are aware that the City has advanced or added new projects to 1995 under the Infrastructure program (net City costs \$5,703,824). As discussed at that time, staff have taken steps to ensure that advanced or new projects are not being replaced with additional spending projects in order to maintain the overall corporate financial scenario.

Projects of note within the recommended Capital Budget and Forecast are as follows:

Riverdale Recreation Centre:

A feasibility study for the development of the Lake Avenue Seniors Drop-In-Centre/Riverdale East Recreation Centre Project was commenced in-house by the Property Department, Architectural Division in early 1994. The 1994-2003 Capital Budget included provisions for the design in 1994 (\$500,000.), construction in 1995 and 1996. The feasibility study has not been finalized to date although public input has been received. The recreational activities scope has not yet been determined by Council. No expenditures in relation to design have therefore been incurred pending the approval of the project scope and feasibility study by Council.

For the 1995-2004 Capital Budget consideration the Management Team, prioritized this project along with all other projects and proposes funding an additional provision (\$358,000. in current dollars) for design in the year 2002 and construction in the year 2003. This project is delayed due to other priority projects in relation to maintenance and infrastructure programs, and its financial impact on Current Budgets. The net operating cost of this project is \$648,000. for this facility. It is also proposed that a significant portion of the funding be provided from development charges which reduces that financial impact of issuance of debentures. A delay in project timing is also necessary to allow for accumulation of necessary development charges balances.

H.E.C.F.I. Projects:

It is recommended that all of HECFI's first two years projects be funded from their Reserve for Capital Projects and the balance of the projects be considered for funding partially by the City. Future implementation of these projects therefore depends on the availability of funding from their Reserves and Reserve Funds and upon Council's approval of City funding towards these works.

Ontario Workers' Arts and Heritage Centre:

When this project was ranked by Management Team using the approved ranking criteria, it ranked low when compared with the Community's needs for the many other identified City projects. Furthermore, alternative facilities may be available in the CN Station in connection with the Splendored Cathay proposal. For these two reasons it is not recommended to fund this project within the City's ten year plan.

Parking Authority:

The Parking Authority's 1995 projects include programs which will permit the continual upgrading of its carparks, the study and design of future facilities, and subsequent demolition and site preparation of newly acquired properties. All of the projects are financed from the Reserve for Off-Street Parking.

Property/Taxation System - Increased Costs

Additional funding of \$300,000. is required to complete this ongoing project. It is recommended that the funding for this one-time expenditure be obtained from the Reserve for Working Funds, the funding sources for tax remissions and other property tax related expenditures.

Road Reconstruction Program:

The provision for Road Reconstruction Program has been increased to \$8,525,000. (1994 Provision \$7,015,000.) excluding the road reconstruction program under the Infrastructure Program amounting to \$4,291,917. in 1994-95. This additional expenditure is part of a larger provision originally requested based on the Pavement Management Study results to provide for higher standards of upkeep in the community. A portion of the original request is proposed for funding in 1997.

Services through Unsubdivided Lands:

The financing of this program through the Reserve for Services through Unsubdivided Lands is limited and funding from this reserve is contingent upon the sale and recovery of One Foot Reserves and the funds received from Development Charges. This program is therefore also being financed partly by the Reserve for Capital Projects. Such funding, however, will be monitored on an ongoing basis and should funds be generated within the Reserve, a recommendation will be brought forward to return the funds to the Reserve for Capital Projects, and/or Capital Levy.

Arts in Public Places:

No provision has been made for the Art in Public Places Policy. All of these projects are below the cut off point.

1995 General Contingency:

No provision has been made in the 1995-2004 Provisional Capital Budget to accommodate any unforeseen increased cost of projects. Any introduction or consideration of a new project requires a trade off with an existing project, or needs to be tabled until the following year's capital budget process. This step was undertaken to allow for direct funding of more capital projects. It does, however, limit staff's and Council's ability to approve additional capital expenditures during the year.

Trigeneration (C.U.P.) - Additional Financing:

An amount of \$1,664,000. has been included in 1995 in keeping with recent Council approval of revised project and the related additional capital financing requirements.

Projects for Future Consideration (outside the Ten Year Plan):

There are ninety projects (Schedule "A" - Page 13 through 15) under this category. The funding of these projects could not be accommodated within the recommended funding scenario. All of these projects will be reviewed annually and may be considered for advancement in future capital plans.

CONCLUSION

The 1995 Capital Budget and 1996-2004 Capital Forecast, as recommended, would result in the gross expenditure of \$264,155,000. over the ten year period with an estimated community job creation of 5,418 person years. This plan provides a contribution towards stimulating the economy without adverse long term effects on the tax rate. The total expenditure is financed by \$103,371,000. from the reserves and capital levy, \$51,674,000. from receipts, user fees and subsidies, and \$109,110,000. from debentures for Municipal projects. The plan has been developed in conjunction with the ongoing work towards preparation of a development charges proposal which will also be for consideration at the March 9th Committee meeting.

The proposed Capital Budget and Forecast is comparable in size to the approved 1994-2003 Capital Budget and Forecast -net cost (\$212,831,000. vs \$212,481,000.). While the overall size remains similar, however, the plans reflect many differences due to changes in identified departmental spending needs and a complete review of relative project priorities. The 1995-2004 plan reaffirms the priority of expenditures relating to existing infrastructure and capital expenditures that do not add to the City's ongoing operating expenditures, while in some cases deferring service enhancement type projects to later in the program.

CONCLUSION - continued

It should also be noted that the City of Hamilton is a major contributor to the Regional Municipality of Hamilton-Wentworth's "AA+" credit rating, and with the debt requirements of the proposed plan, the City's debt levels will remain substantially below the debt levels allowed by the O.M.B.

The projects contained in this Capital Budget, as developed by the Management Team, are within the financial capabilities of the City and represent a balanced program for the future planning and development of the City. The provisional 1995-2004 Capital Budget and Forecast is recommended for your consideration. The 1995 projects are recommended for immediate approval and commitment. Projects in 1996 and beyond will continue to be reviewed throughout 1995 in preparation for their consideration in the 1996 and future capital programs.

The details of the Capital Budget Submission Forms for each project are enclosed for your review. If you need any further information please do not hesitate to contact the Budget Section or Nik Adhya, Manager of Budgets at extension #4519.

NRA:jc
Att's

1995 – 2004 PROVISIONAL CAPITAL BUDGET PROGRAM

Schedule "A"

PROJECTS BY YEAR & DEPARTMENT ORDER

(Thousands of Dollars)

FINAL DRAFT BY THE MANAGEMENT TEAM

PROJ NO.	DEPT (2)	PROJECT DESCRIPTION (3)	PROJECT		GROSS RECEIPTS		NET FINANCING										NOTES (21)	ACTION TAKEN (22)	Line No. (23)				
			START (4)	FINISH (5)	COST (6)	SUBSIDY (7)	1995 (8)	1996 (9)	1997 (10)	1998 (11)	1999 (12)	2000 (13)	2001 (14)	2002 (15)	2003 (16)	2004 (17)				2004 FUNDING (18)	2004 CHARGES (19)	2004 DEBT (20)	
Projects Other than Parking Authority:																							
1995 Projects																							
1.1	IS	COMPUTER SOFTWARE	1995	1995	150		150										CL		15				1
2.0	HD	MUNICIPAL NON - PROFIT HOUSING CORP - LAND BANKING	1995	1995	1,000	1,000											RPP						2
5.0	TR	PROPERTY / TAXATION SYSTEM - Increased Cost	1995	1995	300		300										RWF		(30) NEW				3
7.0	BLDG	AUTOMATED BUILDING PERMIT TRACKING SYSTEM	1995	1995	250		250										RCP		(55) NEW				4
9A	PROP	TRIGENERATION (C.U.P.) - INFRASTRUCTURE - Increased Cost	1995	1995	1,664		1,664										DEB		262	(173) NEW			5
9.0	PROP	MAJOR MAINTENANCE TO CIVIC BUILDINGS	1995	1995	1,330		1,330										CL/DEB		63				6
10.0	PROP	CUP - VARIOUS CAPITAL REPLACEMENTS/REVISIONS & NEW EQUIPMENT	1995	1995	70		70										CL					DEB (397), CL (933)	7
11.0	PROP	ENERGY MANAGEMENT PROJECTS	1995	1995	200		200										CL						8
12.0	PROP	CITY HALL - ROOF REPLACEMENT	1995	1995	318		318										CL		(101)				9
13.0	PROP	MOUNTAIN ARENA - REPLACEMENT OF ROOF	1995	1995	410		410										RCP						10
15.0	PROP	SPLIT/BALANCE CITY HALL POWER SUPPLY FOR COMPUTER SYSTEMS	1995	1995	97		97										RCP			1			11
16.0	PROP	UNINTERRUPTABLE POWER SUPPLY FOR COMPUTER SYSTEMS	1995	1995	193		193										RCP			1			12
17.0	PROP	CENTRAL FIRE - REPLACE FLAT ROOFS	1995	1995	73		73										CL/RCP					CL (60), RCP (13)	13
19.0	PROP	LAWFIELD ARENA - REROOFING	1995	1995	155		155										RCP						14
22.0	PROP	REPLACE CARPETING TO REGIONAL OFFICES IN CITY HALL	1995	1995	142		142										CL			NEW			15
72.0	ROAD	CITY'S SHARE OF SERVICES THROUGH UNSUBDIVIDED LANDS	1995	1995	1,273		1,273										RSTUL/RCP		27				16
74.0	ROAD	REHABILITATION OF PARKDALE AVENUE SOUTH BRIDGE - Increased Cost	1995	1995	103	26	77										CL		(4) NEW			RCP (273), RSTU'S (1,000)	17
80.0	TRAFF	TRAFFIC SIGNAL INSTALLATION AND MODERNIZATION	1995	1995	70	18	52										CL/RDC		1			RDC (15), CL (37)	18
82.0	PWD-L	CITY'S SHARE OF LOCALS - RESIDENTIAL	1995	1995	650	163	487										CL						19
85.0	PWD-L	ROADWAYS & SIDEWALKS RECONSTRUCTION PROGRAM - LOCAL ROADS PHASE I	1995	1995	7,225	1,806	5,419										DEB		854				20
85.1	PWD-L	ROADWAYS & SIDEWALKS RECONSTRUCTION PROGRAM - LOCAL ROADS PHASE II	1995	1995	1,300	325	975										DEB		154				21
88.0	PWD-S	CONSTRUCTION - UPGRADING MAINTENANCE DEPOTS	1995	1995	50		50										RCP						22
90.0	PWD-S	REFUSE PACKER - 25 CUBIC YARD, HIGH DENSITY	1995	1995	360		360										CL		429				23
108.1	C&R	HAMILTON PLAYSTRUCTURE REDEVELOPMENT	1995	1995	100		100										RPL		1				24
111.0	C&R	TENNIS COURT RE-DEVELOPMENT	1995	1995	331		331										DEB		52	NEW			25
112.1	C&R	CORONATION ARENA AND OUTDOOR POOL - STUDY	1995	1995	10		10										CL						26
119.0	C&R	FACILITY INFRASTRUCTURE STUDY	1995	1995	100		100										RCP			NEW			27
134.0	C&R	ST. MARK'S CHURCH - CONDITIONS ASSESSMENT REPORT	1995	1995	20		20										CL					Reduced to \$100,000	28
138.0	PWD-P	PARK DEVELOPMENT AND REDEVELOPMENT PROGRAMME	1995	1995	600		600										RPL		38				29
139.0	PWD-P	CREATIVE PLAYSTRUCTURE - NEW DEVELOPMENT	1995	1995	122	22	100										RPL		10				30
140.0	PWD-P	PARKLAND ACQUISITION	1995	1995	143		143										RPL		13				31
141.0	PWD-P	GORE PARK WALKWAY RESTORATION	1995	1995	315		315										DEB		50				32
181.0	HECFI	HAMILTON CONVENTION CENTRE - REPLACEMENT OF CARPET	1995	1995	350		350										RCP-H						33
182.0	HECFI	VARIOUS REPLACEMENTS & RENOVATIONS FOR FACILITIES & EQUIPMENT	1995	1995	95		95										RCP-H						34
			1995	1995																			35
																							36

1995 – 2004 PROVISIONAL CAPITAL BUDGET PROGRAM Schedule "A"

PROJECTS BY YEAR & DEPARTMENT ORDER

(Thousands of Dollars)

FINAL DRAFT BY THE MANAGEMENT TEAM

PROJ NO.	DEPT	PROJECT DESCRIPTION	PROJECT		GROSS RECEIPTS		NET FINANCING								NATURE ANNUAL		ACTION TAKEN	LINE NO.			
			START	FINISH	COST	SUBSIDY	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004			FUNDING	DEBT	OPERATING
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)	(19)	(20)	(21)	(22)
183.0	HECFI	HAM CONVENTION CENTRE – REPAIRS TO EXTERIOR ELEVATED WALKWAY	1995	1995	70	70											RCP-H		NEW		
184.0	HECFI	HAMILTON PLACE – CASUAL FURNITURE REPLACEMENT	1995	1995	60	60											RCP-H				
187.0	HECFI	HAM PLACE – MODIFICATIONS TO ENTRANCE DOORS/BOX OFFICE LOBBY	1995	1995	60	60											RCP-H		NEW		
211.0	PLAN	OFFICIAL PLAN REVIEW	1995	1996	250	100	150										CL		NEW		
Sub-total 1995 PROJECTS						20,009	3,460	16,474	75	0	0	0	0	0	0	0		1,435	173		
			(NET CITY COSTS – 16,549)																		
1996 Projects																					
1.2	IS	COMPUTER SOFTWARE	1996	1996	150			150									RCP		15		
3.1	HD	MUNICIPAL NON – PROFIT HOUSING CORP – LAND BANKING	1996	1996	1,000	1,000											RPP				
6.0	CLERK	ELECTION SYSTEM	1996	1996	550			550									CL		NEW		
14.0	PROP	CUP – BUILDING AUTOMATION SYSTEM UPGRADE	1996	1996	149			149									CL			Transfer from 1995	
18.0	PROP	WEST AVENUE SCHOOL – RETROFIT HEATING SYSTEM	1996	1996	164			164									CL			Transfer from 1995	
20.0	PROP	MARKET/LIBRARY RE-ROOFING PHASE II	1996	1996	578			578									DEB	91		Transfer from 1995	
21.0	PROP	CHEDOKE GOLF CLUBHOUSE – REROOFING	1996	1996	42			42									CL			Transfer from 1995	
25.1	PROP	MAJOR MAINTENANCE TO CIVIC BUILDINGS	1996	1996	500			500									DEB/CL	55		Transfer from 1995	
26.1	PROP	CUP-VARIOUS CAPITAL REPLACEMENTS/REVISIONS & NEW EQUIPMENT	1996	1996	80			80									CL			DEB (348), CL (152)	
27.1	PROP	ENERGY MANAGEMENT PROJECTS	1996	1996	100			100									CL		(20)		
28.1	PROP	CONVERT AIR CONDITIONING EQUIPMENT FROM OFC11 TO SUVA-123	1996	1996	158			158									CL				
29.0	PROP	COPPS COLISEUM-MAJOR OVERHAUL – REFRIGERATION & A/C EQUIPMENT	1996	1996	228			228									DEB	36			
30.0	PROP	CITY HALL – REPLACE EXISTING CHILLERS & ASSOCIATED EQUIPMENT	1996	1996	340			340									CL				
31.0	PROP	DUNDURN CASTLE – HOT WATER BOILER SYSTEM	1996	1996	126			126									CL				
32.0	PROP	HAM PUBLIC LIBRARY – FIRE PANEL/PUBLIC ADDRESS SYSTEM REPLACEMENT	1996	1996	169			169									CL				
34.1	PROP	ACCOMMODATION REQUIREMENTS – CITY HALL	1996	1996	50			50									RCP		NEW		
42.1	PROP	PROVISION FOR SPRINKLER SYSTEM – CITY BUILDINGS – STUDY	1996	1996	50			50									RCP			Transfer from 1995	
64.0	FIRE	PUBLIC SAFETY TRUNKING RADIO – Increased Cost	1996	1996	420			420									DEB	66			
73.1	ROAD	CITY'S SHARE OF SERVICES THROUGH UNSUBDIVIDED LANDS	1996	1996	1,293			1,293									RSTUL/CL			RSTUL (250), CL (1,043)	
76.0	ROAD	REPLACEMENT OF VALLEY INN ROAD BRIDGE – PRILIMINARY ENGINEERING	1996	1996	21	13	8										RCP				
79.0	TRAFF	ADDITIONAL TRAFFIC SERVICE TRUCK	1996	1996	170			170									CL/RDC		(7) NEW		
81.1	TRAFF	TRAFFIC SIGNAL INSTALLATION AND MODERNIZATION	1996	1996	79	20	59										CL/RDC	1			
83.1	PWD-L	CITY'S SHARE OF LOCALS – RESIDENTIAL	1996	1996	670	168	502										CL				
86.1	PWD-L	ROADWAYS & SIDEWALKS RECONSTRUCTION PROGRAM – LOCAL ROADS	1996	1996	7,445	1,861	5,584										DEB	880			
89.1	PWD-S	CONSTRUCTION – UPGRADING MAINTENANCE DEPOTS	1996	1996	50		50										CL				
91.0	PWD-S	REFUSE PACKER – 25 CUBIC YARD, HIGH DENSITY	1996	1996	120		120										CL		145 NEW		
103.0	PWD-S	ENHANCED STREETSCAPING	1996	1996	108		108										RCP		19 NEW		
104.0	PWD-S	WATER TRUCK – TRAFFIC ISLAND PROGRAMME	1996	1996	68		68										RCP		9		Transfer from 1995 – 1996
108.2	C&R	HAMILTON PLAYSTRUCTURE REDEVELOPMENT	1996	1996	100		100										RPL		1		
109.0	C&R	INTEGRATED PLAYSTRUCTURE FOR GAGE PARK	1996	1996	100		75										CL		2		Transfer from 1995

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PROJECTS BY YEAR & DEPARTMENT ORDER

(Thousands of Dollars)

FINAL DRAFT BY THE MANAGEMENT TEAM

PROJ NO.	DEPT	PROJECT DESCRIPTION	PROJECT		GROSS RECEIPTS		NET FINANCING								NATURE		ANNUAL		ACTION TAKEN	Line No.				
			START (4)	FINISH (5)	COST (6)	SUBSIDY (7)	1995 (8)	1996 (9)	1997 (10)	1998 (11)	1999 (12)	2000 (13)	2001 (14)	2002 (15)	2003 (16)	2004 (17)	FUNDING (18)	CHARGES (19)			COST (20)	NOTES (21)		
(1)	(2)	(3)																		(22)	(23)			
126.1	C&R	WHITEHERN STABLE RENOVATION – FEASIBILITY STUDY	1996	1996	20		20										RCP			Previously outside the 10 yr plk	Transfer from 1995	74		
149.1	PWD-P	IVOR WYNNE STADIUM – RENOVATIONS AND REPAIRS	1996	1996	150		150										RCP			Transfer from 1995		75		
149.2	PWD-P	IVOR WYNNE STADIUM – RENOVATIONS AND REPAIRS	1996	1996	90		90										CL					76		
150.1	PWD-P	PARK DEVELOPMENT AND REDEVELOPMENT PROGRAMME	1996	1996	600		600										RPL		38			77		
151.1	PWD-P	CREATIVE PLAYSTRUCTURE – NEW DEVELOPMENT	1996	1996	122	22	100										RPL		10			78		
152.1	PWD-P	PARKLAND ACQUISITION	1996	1996	400		400										RPL		13			79		
182.1	HECFI	VARIOUS REPLACEMENTS & RENOVATIONS FOR FACILITIES & EQUIPMENT	1996	1996	220		220										RCP-H					80		
185.1	HECFI	HAMILTON PLACE – REFURBISH SEATING IN THE GREAT HALL	1996	1996	340		340										RCP-H					81		
190.0	HECFI	COPPS COLISEUM – REPLACEMENT OF FLOORING	1996	1996	60		60										RCP-H			NEW		82		
193.0	HPL	CENTRAL LIBRARY RENOVATIONS – PHASE II – DESIGN PHASE	1996	1996	87		87										RCP-L					83		
Sub-total 1996 PROJECTS						17,167	3,109	0	14,058	0	0	0	0	0	0	0	0	1,128	226				84	
						(NET CITY COSTS – 14,058)																		85
						1997 Projects																		86
1.3	IS	COMPUTER SOFTWARE	1997	1997	150		150			150							CL		15	NEW		87		
3.2	HD	MUNICIPAL NON-PROFIT HOUSING CORP – LAND BANKING	1997	1997	1,000	1,000											RPP					88		
23.0	PROP	ACCOMMODATION REQUIREMENTS – CITY HALL	1997	1997	100		100			100							CL			NEW	Transfer from 1995	89		
25.2	PROP	MAJOR MAINTENANCE TO CIVIC BUILDINGS	1997	1997	500		500			500							CL					90		
26.2	PROP	CUP-VARIOUS CAPITAL REPLACEMENTS/REVISIONS & NEW EQUIPMENT	1997	1997	80		80			80							CL					91		
27.2	PROP	ENERGY MANAGEMENT PROJECTS	1997	1997	100		100			100							CL		(20)	NEW		92		
28.2	PROP	CONVERT AIR CONDITIONING EQUIPMENT FROM CFC11 TO SUVA-123	1997	1997	171		171			171							CL					93		
34.2	PROP	ACCOMMODATION REQUIREMENTS – CITY HALL	1997	1997	50		50			50							CL			NEW		94		
36.0	PROP	HILL PARK – POOL MECHANICAL/ELECTRICAL REFURBISHING	1997	1997	289		289			289							CL					95		
37.0	PROP	CITY HALL – BOILER REPLACEMENT	1997	1997	145		145			145							CL					96		
38.0	PROP	HAMILTON PLACE – PUMP REPLACEMENT	1997	1997	49		49			49							CL					97		
41.0	PROP	MACNAB RECREATION CENTRE – REPLACEMENT OF ROOF	1997	1997	169		169			169							CL			NEW		98		
65.0	FIRE	FIRE STATION – WOODWARD & MELVIN – DESIGN & CONSTRUCTION	1997	1998	2,469		297	2,172									DEB		389		Transfer from 1995-96	99		
68.0	FIRE	SECOND APPARATUS DOOR AT TWO FIRE STATIONS	1997	1997	106		106			106							CL					100		
73.2	ROAD	CITY'S SHARE OF SERVICES THROUGH UNSUBDIVIDED LANDS	1997	1997	1,314		1,314			1,314							RSTUL/CL		1		RSTUL (250), CL (1,064)	101		
75.1	ROAD	RAILWAY CROSSING – HI RAIL INSTALLATION	1997	1997	95	10	85										CL					102		
77.0	ROAD	REPLACEMENT OF VALLEY INN ROAD BRIDGE – CONSTRUCTION	1997	1997	842	526	316										CL		(4)			103		
78.0	ROAD	STORM WATER NATURAL RETENTION SYSTEM – RYMAL ROAD EAST	1997	1997	200		200										CL			NEW		104		
81.2	TRAFF	TRAFFIC SIGNAL INSTALLATION AND MODERNIZATION	1997	1997	80	20	60										CL					105		
83.2	PWD-L	CITY'S SHARE OF LOCALS – RESIDENTIAL	1997	1997	690	173	517										CL					106		
85.2	PWD-L	ROADWAYS & SIDEWALKS RECONSTRUCTION PROGRAM – LOCAL ROADS PHASE II	1997	1997	700	175	525										DEB/CL		39	NEW	DEB (245), CL (280)	107		
86.2	PWD-L	ROADWAYS & SIDEWALKS RECONSTRUCTION PROGRAM – LOCAL ROADS	1997	1997	7,670	1,918	5,752										DEB		906		Part transfer from 1995	108		
89.2	PWD-S	CONSTRUCTION – UPGRADING MAINTENANCE DEPOTS	1997	1997	50		50										CL					109		
95.0	PWD-S	SANDER WING FLOW UNIT	1997	1997	280		280										RDC				Transfer from 1996	110		

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(Thousands of Dollars)

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PROJ NO.	DEPT	PROJECT DESCRIPTION	PROJECT		GROSS RECEIPTS		NET FINANCING									NATURE OF		ANNUAL		ACTION TAKEN	Line No.																							
			START	FINISH	COST	SUBSIDY	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	FUNDING	CHARGES	COST																									
							(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)			(17)	(18)	(19)	(20)	(21)	(22)																	
108.3	C&R	HAMILTON PLAYSTRUCTURE REDEVELOPMENT	1997	1997	100			100									RPL		1																									
143.0	PWD-P	HARBOURFRONT PARK DEVELOPMENT - PHASE I	1997	1998	1,314			854	460								DEB/RDC	104	76	RDC (657), DEB (657)	Transfer from 1995-96				111																			
146.0	PWD-P	GRASS MAINTENANCE EQUIPMENT	1997	1997	68			68									CL/RCP		18	NEW CL (38), RCP (30)	Transfer from 1995				112																			
150.2	PWD-P	PARK DEVELOPMENT AND REDEVELOPMENT PROGRAMME	1997	1997	600			600									RPL		38							113																		
151.2	PWD-P	CREATIVE PLAYSTRUCTURE - NEW DEVELOPMENT	1997	1997	122	22		100									RPL		10							114																		
152.2	PWD-P	PARKLAND ACQUISITION	1997	1997	400			400									RPL		13							115																		
182.2	HECFI	VARIOUS REPLACEMENTS & RENOVATIONS FOR FACILITIES & EQUIPMENT	1997	1997	245			245									RCP-H									116																		
185.2	HECFI	HAMILTON PLACE - REFURBISH SEATING IN THE GREAT HALL	1997	1997	200			200									CL									117																		
186.0	HECFI	HAMILTON CONVENTION CENTRE - ROOFING SYSTEM REPLACEMENT	1997	1997	355			355									CL									118																		
188.1	HECFI	COPPS COLISEUM - REFURBISH EXTERIOR ELECTRONIC SIGN	1997	1997	100			100									RCP-H		(90) NEW							119																		
189.0	HECFI	HAMILTON CONVENTION CENTRE - REFURBISH BARS AND EQUIPMENT	1997	1997	100			100									RCP-H		NEW							120																		
194.0	HPL	CENTRAL LIBRARY RENOVATIONS - PHASE II - CONSTRUCTION PHASE	1997	1997	383			383									RCP-L									121																		
Sub-total 1997 PROJECTS						21,286	3,844	0	0	14,810	2,632	0	0	0	0	0	0	1,438	59							122																		
			(NET CITY COSTS - 17,442)																							123																		
																																												124
3.3	HD	MUNICIPAL NON-PROFIT HOUSING CORP - LAND BANKING	1998	1998	1,000	1,000											RPP									125																		
4.0	HD	UPGRADE OF ADA PRITCHARD AND MACASSA PARK APARTMENTS	1998	1999	1,339					1,060	279						DEB	211								126																		
24.0	PROP	PROPERTY PURCHASES - GENERAL	1998	1998	300					300							RPP									127																		
25.3	PROP	MAJOR MAINTENANCE TO CIVIC BUILDINGS	1998	1998	600					600							CL									128																		
26.3	PROP	CUP-VARIOUS CAPITAL REPLACEMENTS/REVISIONS & NEW EQUIPMENT	1998	1998	90					90							CL		(20) NEW							129																		
27.3	PROP	ENERGY MANAGEMENT PROJECTS	1998	1998	100					100							CL									130																		
28.3	PROP	CONVERT AIR CONDITIONING EQUIPMENT FROM CFC11 TO SUVA-123	1998	1998	171					171							CL									131																		
33.0	PROP	BALFOUR ESTATE - BUILDING ENVELOPE RESTORATION	1998	1998	193					193							CL									132																		
34.3	PROP	ACCOMMODATION REQUIREMENTS - CITY HALL	1998	1998	50					50							CL		NEW							133																		
40.0	PROP	MACNAB STREET TRUCK TUNNEL - RAMP HEATING	1998	1998	68					68							CL									134																		
42.2	PROP	PROVISION FOR SPRINKLER SYSTEM - CITY BUILDINGS	1998	1998	700					700							CL									135																		
43.0	PROP	CENTRAL FIRE - MECHANICAL/ELECTRICAL REFURBISHING	1998	1998	241					241							CL		5							136																		
44.0	PROP	CENTRAL MEMORIAL - MECHANICAL/ELECTRICAL UPGRADE	1998	1998	145												CL/RCP									137																		
73.3	ROAD	CITY'S SHARE OF SERVICES THROUGH UNSUBDIVIDED LANDS	1998	1998	1,335					1,335							RSTUL/CL									138																		
75.2	ROAD	RAILWAY CROSSING - HI RAIL INSTALLATION	1998	1998	96	10				86							CL									139																		
81.3	TRAFF	TRAFFIC SIGNAL INSTALLATION AND MODERNIZATION	1998	1998	82	20				62							CL		1							140																		
83.3	PWD-L	CITY'S SHARE OF LOCALS - RESIDENTIAL	1998	1998	710	178				532							CL									141																		
86.3	PWD-L	ROADWAYS & SIDEWALKS RECONSTRUCTION PROGRAM-LOCAL ROADS	1998	1998	7,900	1,975				5,925							DEB/CL	867		DEB (5,505), CL (420)						142																		
89.3	PWD-S	CONSTRUCTION - UPGRADE MAINTENANCE DEPOTS	1998	1998	50					50							CL									143																		
92.0	PWD-S	REFUSE PACKER - 25 CUBIC YARD, HIGH DENSITY	1998	1998	130					130							RDC		197							144																		
96.0	PWD-S	SANDER WING PLOW UNIT	1998	1998	290												RDC									145																		
100.0	PWD-S	SUBDIVISION STREET SWEEPER	1998	1998	150					150							RDC									146																		

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PROJ NO.	DEPT (2)	PROJECT DESCRIPTION (3)	PROJECT		GROSS RECEIPTS		NET FINANCING										NATURE OF FUNDING		ANNUAL DEBT OPERATING		ACTION TAKEN	Line No.																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																						
			START	FINISH	COST	SUBSIDY	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	FUNDING	CHARGES	COST																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																									
																				(4)			(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)	(19)	(20)	(21)	(22)	(23)																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																			
108.4	C&R	HAMILTON PLAYSTRUCTURE REDEVELOPMENT	1998	1998	100																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																							

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Schedule "A"

PROJECTS BY YEAR & DEPARTMENT ORDER

(Thousands of Dollars)

FINAL DRAFT BY THE MANAGEMENT TEAM

PROJ NO.	DEPT	PROJECT DESCRIPTION	PROJECT		GROSS RECEIPTS		NET FINANCING										NATURE OF FUNDING		NOTES	ACTION TAKEN	Line No.	
			START	FINISH	COST	SUBSIDY	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	FUNDING	CHARGES				COST
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)	(19)	(20)	(21)	(22)	(23)
149.4	PWD-P	IVOR WYNNE STADIUM – RENOVATIONS AND REPAIRS	1999	1999	90					90							CL					185
150.4	PWD-P	PARK DEVELOPMENT AND REDEVELOPMENT PROGRAMME	1999	1999	600					600							RPL		38			186
151.4	PWD-P	CREATIVE PLAYSTRUCTURE – NEW DEVELOPMENT	1999	1999	122	22					100						RPL		10			187
152.4	PWD-P	PARKLAND ACQUISITION	1999	1999	400					400							RPL		13			188
182.4	HECFI	VARIOUS REPLACEMENTS & RENOVATIONS FOR FACILITIES & EQUIPMENT	1999	1999	325					325							RCP-H					189
192.2	HECFI	FACILITY MANAGEMENT SYSTEM	1999	1999	300					300							CL		73			190
Sub-total 1999 PROJECTS						15,923	3,270	0	0	0	0	12,653	0	0	0	0		697	102			191
																						192
																						193
3.5	HD	MUNICIPAL NON-PROFIT HOUSING CORP – LAND BANKING	2000	2000	1,000	1,000											RPP					194
25.5	PROP	MAJOR MAINTENANCE TO CIVIC BUILDINGS	2000	2000	700						700						RCP					195
26.5	PROP	CUP-VARIOUS CAPITAL REPLACEMENTS/REVISIONS & NEW EQUIPMENT	2000	2000	100						100						CL					196
27.5	PROP	ENERGY MANAGEMENT PROJECTS	2000	2000	200						200						CL		(40) NEW			197
34.5	PROP	ACCOMMODATION REQUIREMENTS – CITY HALL	2000	2000	50						50						CL		NEW			198
52.0	PROP	MAJOR ACCOMMODATION REFURBISHING – CITY HALL	2000	2001	4,500						2,951	1,549					DEB		709			199
54.0	PROP	LAURIER RECREATION CENTRE – REROOFING	2000	2000	116						116						CL					200
59.0	PROP	WESTMOUNT RECREATION CENTRE – REPLACEMENT OF ROOF	2000	2000	116						116						CL		NEW			201
71.0	PWD-F	REPLACEMENT OF COMPUTERIZED FUEL CONTROL SYSTEM	2000	2000	174						174						CL		NEW			202
73.5	ROAD	CITY'S SHARE OF SERVICES THROUGH UNSUBDIVIDED LANDS	2000	2000	1,377						1,377						RSTUL/CL				RSTUL (250), CL (1,127)	203
75.4	ROAD	RAILWAY CROSSING – HI RAIL INSTALLATION	2000	2000	98	10					88						CL					204
81.5	TRAFF	TRAFFIC SIGNAL INSTALLATION AND MODERNIZATION	2000	2000	87	21					66						CL		1			205
84.1	PWD-L	CITY'S SHARE OF LOCALS – RESIDENTIAL	2000	2000	750	188					562						CL					206
87.1	PWD-L	ROADWAYS & SIDEWALKS RECONSTRUCTION PROGRAM-LOCAL ROADS	2000	2000	8,380	2,095					6,285						DEB/CL		480			207
89.5	PWD-S	CONSTRUCTION – UPGRADING MAINTENANCE DEPOTS	2000	2000	50						50						CL					208
144.0	PWD-P	PEDESTRIAN/BICYCLE LINKAGE COOTES PARADISE-HARBOURFRONT PARK	2000	2002	5,400	3,600					600	600	600	600			RDC		90	Previously outside the 10 yr pl	Transfer from 1995 – 98	209
149.5	PWD-P	IVOR WYNNE STADIUM – RENOVATIONS AND REPAIRS	2000	2000	90						90						CL					210
150.5	PWD-P	PARK DEVELOPMENT AND REDEVELOPMENT PROGRAMME	2000	2000	600						600						RDC		38			211
151.5	PWD-P	CREATIVE PLAYSTRUCTURE – NEW DEVELOPMENT	2000	2000	122	22					100						RPL		10			212
152.5	PWD-P	PARKLAND ACQUISITION	2000	2000	400						400						RPL		13			213
182.5	HECFI	VARIOUS REPLACEMENTS & RENOVATIONS FOR FACILITIES & EQUIPMENT	2000	2000	300						300						RCP-H					214
188.2	HECFI	COPPS COLISEUM – REFURBISH EXTERIOR ELECTRONIC SIGN	2000	2000	200						200						CL		NEW			215
195.1	HPL	COLLECTION DEVELOPMENT	2000	2000	276						276						RDC		240	Previously outside the 10 yr pl	Transfer from 1997	216
Sub-total 2000 PROJECTS						25,086	6,936	0	0	0	0	15,401	2,149	600	0	0		1,189	352			217
																						218

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PROJ NO.	DEPT (1)	PROJECT DESCRIPTION (3)	PROJECT		GROSS RECEIPTS		NET FINANCING								OF		ACTION TAKEN (22)	NOTES (21)	LINE NO. (23)										
			START (4)	FINISH (5)	COST (6)	SUBSIDY (7)	1995 (8)	1996 (9)	1997 (10)	1998 (11)	1999 (12)	2000 (13)	2001 (14)	2002 (15)	2003 (16)	2004 (17)				FUNDING (18)	DEBT CHARGES (19)	OPERATING COST (20)							
2001 Projects																													
3.6	HD	MUNICIPAL NON – PROFIT HOUSING CORP – LAND BANKING	2001	2001	1,000	1,000											RPP			219									
25.6	PROP	MAJOR MAINTENANCE TO CIVIC BUILDINGS	2001	2001	700								700				CL/RCP			220									
26.6	PROP	CUP – VARIOUS CAPITAL REPLACEMENTS/REVISIONS & NEW EQUIPMENT	2001	2001	100								100				CL			221									
27.6	PROP	ENERGY MANAGEMENT PROJECTS	2001	2001	250								250				CL		(50) NEW	222									
34.6	PROP	ACCOMMODATION REQUIREMENTS – CITY HALL	2001	2001	50								50				CL		NEW	223									
42.4	PROP	PROVISION FOR SPRINKLER SYSTEM – CITY BUILDINGS	2001	2001	920								920				DEB	145	5	224									
50.0	PROP	CHEDOKE CLUBHOUSE/PUMPHOUSE – REFURBISH/RETROFIT BUILDING SYSTEM	2001	2001	771								771				DEB	121		225									
51.0	PROP	LIBRARY/MARKET – BOILER REPLACEMENT	2001	2001	217								217				CL		(20) NEW	226									
53.0	PROP	LAURIER – MECHANICAL/ELECTRICAL REFURBISHING	2001	2001	299								299				CL			227									
55.0	PROP	WESTMOUNT RECREATION CENTRE – MECHANICAL/ELECTRICAL UPGRADE	2001	2001	145								145				CL		NEW	228									
60.0	PROP	RYERSON RECREATION CENTRE – REPLACEMENT OF ROOF	2001	2001	116								116				CL		NEW	229									
61.0	PROP	HILL PARK RECREATION CENTRE – REROOFING	2001	2001	97								97				CL			230									
62.0	PROP	KENILWORTH COMPOSITE BUILDING – MECHANICAL/ELECTRICAL RETROFIT	2001	2001	193								193				CL		NEW	231									
67.0	FIRE	FIRE STATION – RAY STREET – CONSTRUCTION	2001	2001	2,240								2,240				DEB	353		232									
73.6	ROAD	CITY'S SHARE OF SERVICES THROUGH UNSUBDIVIDED LANDS	2001	2001	1,399								1,399				RSTUL/CL			233									
75.5	ROAD	RAILWAY CROSSING – HI RAIL INSTALLATION	2001	2001	99	10							89				CL			234									
81.6	TRAFF	TRAFFIC SIGNAL INSTALLATION AND MODERNIZATION	2001	2001	90	22							68				CL		1	235									
84.2	PWD – L	CITY'S SHARE OF LOCALS – RESIDENTIAL	2001	2001	775	194							581				CL			236									
87.2	PWD – L	ROADWAYS & SIDEWALKS RECONSTRUCTION PROGRAM – LOCAL ROADS	2001	2001	8,630	2,158							6,472				DEB/CL	904		237									
89.6	PWD – S	CONSTRUCTION – UPGRADING MAINTENANCE DEPOTS	2001	2001	50								50				CL			238									
93.0	PWD – S	REFUSE PACKER – 25 CUBIC YARD, HIGH DENSITY	2001	2001	150								150				CL		204	239									
97.0	PWD – S	SANDER WING PLOW UNIT	2001	2001	150								150				CL		163	240									
113.2	C&R	DALEWOOD RECREATION CENTRE – RETROFIT – DESIGN & CONSTRUCTION	2001	2002	3,143								2,143	1,000			DEB	495	31	241									
150.6	PWD – P	PARK DEVELOPMENT AND REDEVELOPMENT PROGRAMME	2001	2001	600								600				RDC		38	242									
151.6	PWD – P	CREATIVE PLAYSTRUCTURE – NEW DEVELOPMENT	2001	2001	122	22							100				RPL		10	243									
152.6	PWD – P	PARKLAND ACQUISITION	2001	2001	400								400				RPL		13	244									
157.0	PWD – P	PARKING LOT AND PATHWAY REPAIRS – VARIOUS LOCATIONS	2001	2001	1,160								1,160				CL			245									
176.0	PWD – P	REPLACE ARTIFICIAL TURF AT IVOR WYNNE STADIUM	2001	2001	2,000								2,000				DEB	315		246									
182.6	HECFI	VARIOUS REPLACEMENTS & RENOVATIONS FOR FACILITIES & EQUIPMENT	2001	2001	230								230				RCP – H			247									
195.2	HPL	COLLECTION DEVELOPMENT	2001	2001	290								290				RDC			248									
203.0	PWD – C	FERGUSON AV IMPLEMENT. – PEDESTRIAN/BIKE LINK – ESCARPMENT & BAY	2001	2003	5,225	2,585							800	1,000	840		DEB	416	104	249									
204.0	PWD – C	STIPELEY SOUTH NEIGHBOURHOOD	2001	2001	551	138							413				CL		29	250									
Sub – total 2001 PROJECTS			(NET CITY COSTS – 26,033)													0	23,193	2,000	840	0	2,749	768	251						
																					0							252	
																													253

1995 – 2004 PROVISIONAL CAPITAL BUDGET PROGRAM

Schedule "A"

PROJECTS BY YEAR & DEPARTMENT ORDER

(Thousands of Dollars)

FINAL DRAFT BY THE MANAGEMENT TEAM

PROJ NO.	DEPT (2)	PROJECT DESCRIPTION (3)	PROJECT		GROSS RECEIPTS		NET FINANCING								OF		ACTION TAKEN (22)	LINE NO. (23)																							
			START (4)	FINISH (5)	COST (6)	SUBSIDY (7)	1995 (8)	1996 (9)	1997 (10)	1998 (11)	1999 (12)	2000 (13)	2001 (14)	2002 (15)	2003 (16)	2004 (17)			FUNDING (18)	DEBT CHARGES (19)	OPERATING COST (20)	NOTES (21)																			
2003 Projects																																									
3.8	HD	MUNICIPAL NON - PROFIT HOUSING CORP - LAND BANKING	2003	2003	1,000	1,000											RPP					287																			
25.8	PROP	MAJOR MAINTENANCE TO CIVIC BUILDINGS	2003	2003	800										800		CL/RCP			CL (300), RCP (500)		288																			
26.8	PROP	CUP - VARIOUS CAPITAL REPLACEMENTS/REVISIONS & NEW EQUIPMENT	2003	2003	110										110		CL					289																			
27.8	PROP	ENERGY MANAGEMENT PROJECTS	2003	2003	300										300		CL		(60) NEW			290																			
34.8	PROP	ACCOMMODATION REQUIREMENTS - CITY HALL	2003	2003	50										50		CL					291																			
57.0	PROP	FOOTBALL HALL OF FAME - MECHANICAL/ELECTRICAL RETROFIT	2003	2003	251										251		CL		NEW		Transfer from 2000	292																			
63.0	PROP	ROSEDALE ARENA - MECHANICAL/ELECTRICAL UPGRADE	2003	2003	386										386		CL		NEW			293																			
69.0	FIRE	FIRE STATION - KENILWORTH AVENUE - DESIGN & CONSTRUCTION	2003	2004	3,300										1,300	2,000	DEB	520	NEW		Transfer from 1998-99	294																			
73.8	ROAD	CITY'S SHARE OF SERVICES THROUGH UNSUBDIVIDED LANDS	2003	2003	1,444										1,444		RSTUL/CL				RSTUL (250), CL (1,194)	295																			
75.7	ROAD	RAILWAY CROSSING - HI RAIL INSTALLATION	2003	2003	101	10									91		CL					296																			
81.8	TRAFF	TRAFFIC SIGNAL INSTALLATION AND MODERNIZATION	2003	2003	95	24									71		CL		1			297																			
84.4	PWD-L	CITY'S SHARE OF LOCALS - RESIDENTIAL	2003	2003	820	205									615		CL					298																			
87.4	PWD-L	ROADWAYS & SIDEWALKS RECONSTRUCTION PROGRAM - LOCAL ROADS	2003	2003	9,160	2,290									6,870		DEB/CL	766			DEB (4,864), CL (2,006)	299																			
89.8	PWD-S	CONSTRUCTION - UPGRADING MAINTENANCE DEPOTS	2003	2003	50										50		CL					300																			
107.5	C&R	RIVERDALE RECREATION CENTRE - CONSTRUCTION	2003	2005	6,068										1,775	4,293	RDC/DEB	168	648	DEB (1,068), RDC (5,000)	Transfer from 1996-1998	301																			
110.1	C&R	HAMILTON AQUATIC CENTRE - FEASIBILITY STUDY	2003	2003	30										30		RDC				Transfer from 1997	302																			
118.2	C&R	WADING POOL CONVERSIONS	2003	2003	100										100		CL		5	NEW	Transfer from 1998	303																			
118.3	C&R	WADING POOL CONVERSIONS	2003	2003	100										100		CL		5	NEW	Transfer from 1999	304																			
145.0	PWD-P	HARBOURFRONT PARK DEVELOPMENT - PHASE II	2003	2003	3,455	1,000									2,455		DEB/RDC	198	60	DEB (1,255), RDC (1,200)	Transfer from 2000	305																			
150.8	PWD-P	PARK DEVELOPMENT AND REDEVELOPMENT PROGRAMME	2003	2003	600										600		RDC		38			306																			
151.8	PWD-P	CREATIVE PLAYSTRUCTURE - NEW DEVELOPMENT	2003	2003	122	22									100		RPL	10				307																			
152.8	PWD-P	PARKLAND ACQUISITION	2003	2003	400										400		RPL	13				308																			
182.8	HECFI	VARIOUS REPLACEMENTS & RENOVATIONS FOR FACILITIES & EQUIPMENT	2003	2003	180										180		RCP-H					309																			
206.0	PWD-C	BLAKELEV/ST. CLAIR REVITALIZATION	2003	2003	532	132									400		CL		29		Transfer from 2001	310																			
208.0	PWD-C	COMMERCIAL IMPROVEMENT PROGRAMME - PHASE II	2003	2004	2,500										1,000	1,500	DEB	394	88		Transfer from 2002-03	311																			
212.0	PLAN	OFFICIAL PLAN REVIEW	2003	2004	250										250		CL		NEW		Transfer from 2002-04	312																			
Sub-total 2003 PROJECTS			(NET CITY COSTS - 27,521)												32,204	4,683	0	0	0	0	0	0	19,728	7,793	2,046	837	314														
2004 Projects																																									
3.9	HD	MUNICIPAL NON - PROFIT HOUSING CORP - LAND BANKING	2004	2004	1,000	1,000											RPP					315																			
25.9	PROP	MAJOR MAINTENANCE TO CIVIC BUILDINGS	2004	2004	900												CL			NEW		316																			
26.9	PROP	CUP - VARIOUS CAPITAL REPLACEMENTS/REVISIONS & NEW EQUIPMENT	2004	2004	120												CL			NEW		317																			
27.9	PROP	ENERGY MANAGEMENT PROJECTS	2004	2004	300												CL			NEW		318																			
34.9	PROP	ACCOMMODATION REQUIREMENTS - CITY HALL	2004	2004	50												CL		(60) NEW			319																			
73.9	ROAD	CITY'S SHARE OF SERVICES THROUGH UNSUBDIVIDED LANDS	2004	2004	1,467												CL			NEW		320																			
																	1,467	RSTUL/CL		RSTUL 250, CL 1,217		321																			
																																									322

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(Thousands of Dollars)

FINAL DRAFT BY THE MANAGEMENT TEAM

PROJ NO.	DEPT	PROJECT DESCRIPTION	PROJECT		GROSS RECEIPTS		NET FINANCING										NATURE ANNUAL			NOTES	ACTION		Line No.								
			START	FINISH	COST	SUBSIDY	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	FUNDING OF	DEBT	OPERATING COST												
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)	(19)	(20)	(21)	(22)	(23)									
75.8	ROAD	RAILWAY CROSSING – HI RAIL INSTALLATION	2004	2004	102	10										92	CL		NEW			323									
81.9	TRAFF	TRAFFIC SIGNAL INSTALLATION AND MODERNIZATION	2004	2004	97	25										72	CL		1 NEW			324									
84.5	PWD-L	CITY'S SHARE OF LOCALS – RESIDENTIAL	2004	2004	845	210										635	RCP/CL		NEW	RCP (500), CL (135)		325									
87.5	PWD-L	ROADWAYS & SIDEWALKS RECONSTRUCTION PROGRAM – LOCAL ROADS	2004	2004	9,445	2,360										7,085	DEB/CL	1,060	NEW	DEB (6,728), CL (357)		326									
89.9	PWD-S	CONSTRUCTION – UPGRADING MAINTENANCE DEPOTS	2004	2004	50											50	CL		NEW			327									
94.0	PWD-S	REFUSE PACKER – 25 CUBIC YARD, HIGH DENSITY	2004	2004	170											170	CL		215 NEW			328									
98.0	PWD-S	SANDER WING PLOW UNIT	2004	2004	160											160	CL		175			329									
110.2	C&R	HAMILTON AQUATIC CENTRE – CONSTRUCTION	2004	2006	19,358	6,400										12,958	DEB/RDC	1,021	550 RDC (6,479), DEB (6,479)	Transfer from 1998 – 2000		330									
111.5	C&R	TENNIS COURT RE-DEVELOPMENT	2004	2004	46											46	CL		NEW	Transfer from 2000		331									
111.6	C&R	TENNIS COURT RE-DEVELOPMENT	2004	2004	25											25	CL		NEW	Transfer from 2001		332									
111.7	C&R	TENNIS COURT RE-DEVELOPMENT	2004	2004	11											11	CL		NEW	Transfer from 2002		333									
111.8	C&R	TENNIS COURT RE-DEVELOPMENT	2004	2004	137											137	CL		NEW	Transfer from 2003		334									
111.9	C&R	TENNIS COURT RE-DEVELOPMENT	2004	2004	28											28	CL		NEW			335									
115.2	C&R	EASTWOOD ARENA – RETROFIT – DESIGN & CONSTRUCTION	2004	2005	2,652											2,652	DEB	418		Transfer from 1999 – 2000		336									
116.1	C&R	WESTMOUNT RECREATION CENTRE – RETROFIT – FEASIBILITY STUDY	2004	2004	22											22	CL			Transfer from 1999		337									
116.2	C&R	WESTMOUNT RECREATION CENTRE – RETROFIT – DESIGN & CONSTRUCTION	2004	2006	3,882											3,882	DEB	612	95	Transfer from 2000 – 2002		338									
120.0	C&R	HAMILTON EAST KIWANIS BOYS & GIRLS CLUB	2004	2004	7,014	3,182										3,832	DEB	604		Transfer from 2002		339									
124.0	C&R	STONE WALL RESTORATION – WHITEHERN	2004	2004	160											160	CL		NEW	Transfer from 1995 – 96		340									
142.0	PWD-P	GORE PARK IMPROVEMENTS	2004	2004	370	150										220	CL		NEW	Transfer from 1995		341									
149.6	PWD-P	IVOR WYNNE STADIUM – RENOVATIONS AND REPAIRS	2004	2004	100											100	CL		NEW			342									
150.9	PWD-P	PARK DEVELOPMENT AND REDEVELOPMENT PROGRAMME	2004	2004	600											600	RDC		38 NEW			343									
151.9	PWD-P	CREATIVE PLAYSTRUCTURE – NEW DEVELOPMENT	2004	2004	122	22										100	RPL		10 NEW			344									
152.9	PWD-P	PARKLAND ACQUISITION	2004	2004	400											400	RPL		13 NEW			345									
153.0	PWD-P	LANDSCAPING – HARBOURFRONT CSO TANK	2004	2004	278											278	CL		4	Transfer from 1996		346									
156.0	PWD-P	BRIAN TIMMIS – FENCE REPLACEMENT	2004	2004	90											90	CL			Transfer from 1998		347									
182.9	HECFI	VARIOUS REPLACEMENTS & RENOVATIONS FOR FACILITIES & EQUIPMENT	2004	2004	300											300	RCP-H		NEW			348									
201.0	HPL	NEW BRANCH – SOUTH WEST MOUNTAIN – DESIGN PHASE	2004	2004	498											498	RDC			Previously outside the 10 yr plan		349									
209.0	PWD-C	DOWNTOWN ACTION PLAN INTERCONNECTING STREETS – PHASE VI	2004	2005	800											800	CL		21	Previously outside the 10 yr plan		350									
210.0	PWD-C	HUGHSON STREET REDEVELOPMENT – DOWNTOWN ACTION PLAN PHASE II	2004	2004	765											765	CL		27	Previously outside the 10 yr plan		351									
221.0	HPL	NEW BRANCH – SOUTH WEST MOUNTAIN – CONSTRUCTION PHASE	2004	2006	3,271											3,271	RDC		588			352									
222.0	HPL	NEW BRANCH – SOUTH WEST MOUNTAIN – LIBRARY COLLECTION PHASE	2004	2007	1,950											1,950	DEB/RDC	154		DEB (975), RDC (975)		353									
Sub-total 2004 PROJECTS			(NET CITY COSTS – 44,226)														0	0	0	0	0	0	44,226	3,869	1,677	354					
Total 1995-2004 RECOMMENDED PROJECTS			(NET CITY COSTS – 210,981)														262,655	51,674	16,474	14,133	14,810	18,121	12,932	15,401	25,342	18,931	22,818	52,019	17,194	4,987	355
																													356		
																													357		

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(Thousands of Dollars)

FINAL DRAFT BY THE MANAGEMENT TEAM

PROJ NO.	DEPT	PROJECT DESCRIPTION	PROJECT		GROSS RECEIPTS		NET FINANCING										NATURE OF		ANNUAL		ACTION	Line
			START	FINISH	COST	SUBSIDY	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	FUNDING	CHARGES	DEBT	OPERATING		
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)	(19)	(20)	(21)	(22)	(23)
22002	CL	CAPITAL LEVY (1993 – \$2.2 Millions, 1994 – 2.2 Millions, 1995 – 3 Mills, 1996 – 4 Mills, 1997 – 5 Mills, 1998 & On – 6 Mills)	1995	2004		55,608	3,014	4,039	5,074	6,119	6,150	6,180	6,211	6,242	6,274	6,305						372
CH102	RPP	RESERVE FOR PROPERTY PURCHASE	1995	2004		300				300												373
CH201	RDC	RESERVE FOR DEVELOPMENT CHARGES	1995	2004		24,799	15	100	937	570		1,476	1,490	1,558	3,605	15,048						374
CH203	RCP	RESERVE FOR CAPITAL PROJECTS – GENERAL	1995	2004		5,296	1,466	679	30	115	306	700	500	500	500	500						375
CH107	RSTUL	RESERVE FOR CITY'S SHARE – UNSUBDIVIDED LAND	1995	2000		3,250	1,000	250	250	250	250	250	250	250	250	250						376
CH201	RPL	RESERVE FOR PARKS LAND – 5% LAND DEDICATION	1995	2004		8,243	943	1,200	1,300	1,200	1,300	500	500	500	500	500						377
CH202	ROSP	RESERVE FOR OFF-STREET PARKING	1995	2004		1,500	150	150	150	150	150	150	150	150	150	150						378
CH204	RCP-L	RESERVE FOR CAPITAL PROJECTS – LIBRARY	1996	1997		470		87	383													379
CH205	RIWS	RESERVE FOR IVOR WYNNE STADIUM – PARK IMPROVEMENTS	2000	2000		0																380
CH172	RWF	RESERVE FOR WORKING FUNDS	1995	1995		300	300															381
CH206	RCP-H	RESERVE FOR CAPITAL PROJECTS – HECFI	1995	2003		3,605	635	620	445	370	325	300	230	200	180	300						382
CH116	RALPHA	RESERVE FOR ALPHA ENCLAVES	1999	1999		0																383
Sub-total FINANCING FROM CAPITAL LEVY AND RESERVES						103,371	7,523	7,125	8,469	9,074	8,381	9,556	9,331	9,400	11,459	23,053						384
TOTAL COST TO BE FINANCED BY THE																						385
ISSUANCE OF DEBENTURE			109,110	1995	2004	264,155	155,045	9,101	7,158	6,491	9,197	4,701	5,995	16,161	9,681	11,509	29,116	17,194	4,987			386
LESS CITY LOAN – Parking Authority			0	1995	2004	0	0											0	0			387
TOTAL DEBENTURE ISSUE – Municipal			109,110	1995	2004	264,155	155,045	9,101	7,158	6,491	9,197	4,701	5,995	16,161	9,681	11,509	29,116	17,194	4,987			388
NOTE: THE IMPLEMENTATION OF ANY PROJECT (1996 AND AFTER) FINANCED FROM RESERVES & RESERVE FUNDS IS SUBJECT TO THE AVAILABILITY OF RESERVES & RESERVE FUNDS																						389
ASSUMPTIONS: DEBENTURE INTEREST RATE – AMORTIZED OVER 10 YEARS AT 9.25% – ANNUAL PRINCIPAL AND INTEREST PAYMENT PER \$1,000 – \$157.5431208																						390
218.0	FWD	OWNERS SHARE OF LOCAL IMPROVEMENTS – RESIDENTIAL	1995	1995		730	183	547														391
219.0	FWD	OWNERS SHARE OF LOCAL IMPROVEMENTS – RESIDENTIAL	1996	1999		3,155	789		566	585	600	615										392
220.0	FWD	OWNERS SHARE OF LOCAL IMPROVEMENTS – RESIDENTIAL	2000	2004		4,465	1,091															393
Sub-total (NET OWNERS' COST – 6,287)						8,350	2,063	547	566	585	600	615	634	656	675	694	715					394
TOTAL CAPITAL BUDGET PROGRAM						272,505	157,108	9,648	7,724	7,076	9,797	5,316	6,629	16,817	10,356	12,203	29,831	17,194	4,987			395
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The Corporation of the City of Hamilton

1995-2004 PROVISIONAL CAPITAL BUDGET PROGRAM

Schedule "A"

PROJECTS BY YEAR & DEPARTMENT ORDER

(Thousands of Dollars)

FINAL DRAFT BY THE MANAGEMENT TEAM

PROJ NO.	DEPT (1)	PROJECT DESCRIPTION (3)	PROJECT		GROSS RECEIPTS		NET FINANCING								NATURE OF			NOTES (21)	ACTION TAKEN (22)	Line No. (23)		
			START (4)	FINISH (5)	COST (6)	SUBSIDY (7)	1995 (8)	1996 (9)	1997 (10)	1998 (11)	1999 (12)	2000 (13)	2001 (14)	2002 (15)	2003 (16)	2004 (17)	FUNDING (18)				DEBT CHARGES (19)	ANNUAL OPERATING COST (20)
PROJECTS FOR FUTURE CONSIDERATION (Outside the Ten – Year Plan): (Projects below the cut off point)																						
35.1	PROP	PROPERTY PURCHASES – GENERAL	1996	1996	300		300															
35.2	PROP	PROPERTY PURCHASES – GENERAL	1997	1997	300			300										47				
35.3	PROP	PROPERTY PURCHASES – GENERAL	1998	1998	300				300													
35.4	PROP	PROPERTY PURCHASES – GENERAL	1999	1999	300					300												
35.5	PROP	PROPERTY PURCHASES – GENERAL	2000	2000	300						300											
35.6	PROP	PROPERTY PURCHASES – GENERAL	2001	2001	400							400										
35.7	PROP	PROPERTY PURCHASES – GENERAL	2002	2002	400								400									
35.8	PROP	PROPERTY PURCHASES – GENERAL	2003	2003	400									400								
35.9	PROP	PROPERTY PURCHASES – GENERAL	2004	2004	400										400							
70.0	FIRE	INDOOR TRAINING FAICLITY	2001	2003	5,400													63		NEW		
105.0	PWD-S	FORESTRY RENOVATIONS – UPPER OTTAWA YARD	2000	2000	90							650	2,340	2,410				851		Previously outside the 10 yr plan		
106.0	PWD-S	CONSTRUCT SERVICE GARAGE – BRAMPTON YARD	2003	2004	1,284						90							14		NEW		
114.1	C&R	BOCCE, BASKETBALL, SHUFFLEBOARD COURTS, HANDBALL DEVELOPMENT	1995	1995	100		100											202	40	Previously outside the 10 yr plan		
114.2	C&R	BOCCE, BASKETBALL, SHUFFLEBOARD COURTS, HANDBALL DEVELOPMENT	1996	1996	100			100										16	3	NEW		
114.3	C&R	BOCCE, BASKETBALL, SHUFFLEBOARD COURTS, HANDBALL DEVELOPMENT	1997	1997	100				100									16	3	NEW		
114.4	C&R	BOCCE, BASKETBALL, SHUFFLEBOARD COURTS, HANDBALL DEVELOPMENT	1998	1998	100					100								16	3	NEW		
114.5	C&R	BOCCE, BASKETBALL, SHUFFLEBOARD COURTS, HANDBALL DEVELOPMENT	1999	1999	100						100							16	3	NEW		
117.1	C&R	PUBLIC ART PROGRAMME	1995	1995	120		120											16	3			
117.2	C&R	PUBLIC ART PROGRAMME	1996	1996	120			120										19				
117.3	C&R	PUBLIC ART PROGRAMME	1997	1997	120				120									19		NEW		
121.1	C&R	CHILDREN'S MUSEUM RE-DEVELOPMENT – FEASIBILITY STUDY	1995	1995	20		20											3		Previously outside the 10 yr plan		
121.2	C&R	CHILDREN'S MUSEUM RE-DEVELOPMENT – DESIGN & CONSTRUCTION	1996	1998	5,838	1,952		719	2,035	1,132								612	525	Previously outside the 10 yr plan		
122.0	C&R	HAMILTON – SCOURGE PROJECT – DATA BASE MANAGEMENT PLAN	1995	1996	232	74	88	70										25		NEW		
123.1	C&R	SOUTH EAST MOUNTAIN RECREATION CENTRE – FEASIBILITY STUDY	2002	2002	31							31						5		Previously outside the 10 yr plan		
123.2	C&R	SOUTH EAST MOUNTAIN RECREATION CENTRE – DESIGN & CONSTRUCTION	2003	2005	11,753	4,200							1,402	6,151				1,190	700	Previously outside the 10 yr plan		
125.1	C&R	BIKEWAY DEVELOPMENT	2000	2000	100						100							16	4	NEW		
125.2	C&R	BIKEWAY DEVELOPMENT	2001	2001	100							100						16	4	NEW		
125.3	C&R	BIKEWAY DEVELOPMENT	2002	2002	100								100					16	4	NEW		
125.4	C&R	BIKEWAY DEVELOPMENT	2003	2003	100									100				16	4	NEW		
125.5	C&R	BIKEWAY DEVELOPMENT	2004	2004	100										100			16	4	NEW		
126.2	C&R	WHITEHERN STABLE RENOVATION – CONSTRUCTION	1996	1997	430	150		68	212									44		Previously outside the 10 yr plan		
127.1	C&R	SOUTH WEST MOUNTAIN RECREATION CENTRE – STUDY	2002	2002	31							31						5		Previously outside the 10 yr plan		
127.2	C&R	SOUTH WEST MOUNTAIN RECREATION CENTRE – DESIGN & CONSTRUCTION	2003	2005	11,753	4,266							1,402	6,085				1,180	700	Previously outside the 10 yr plan		
128.0	C&R	PARKING LOT – STEAM MUSEUM	1995	1996	310		50	260										49		NEW		
																				442		

1995 – 2004 PROVISIONAL CAPITAL BUDGET PROGRAM

Schedule "A"

PROJECTS BY YEAR & DEPARTMENT ORDER

(Thousands of Dollars)

FINAL DRAFT BY THE MANAGEMENT TEAM

PROJ NO.	DEPT (1)	PROJECT DESCRIPTION (3)	PROJECT		GROSS RECEIPTS		NET FINANCING										NATURE OF			ANNUAL			ACTION TAKEN (22)	Line No. (23)
			START (4)	FINISH (5)	COST (6)	SUBSIDY (7)	1995 (8)	1996 (9)	1997 (10)	1998 (11)	1999 (12)	2000 (13)	2001 (14)	2002 (15)	2003 (16)	2004 (17)	2004 (18)	FUNDING (19)	CHARGES (20)					
129.1	C&R	MILITARY MUSEUM REDEVELOPMENT – FEASIBILITY STUDY	1995	1995	25	25													4			Previously outside the 10 yr plan	443	
129.2	C&R	MILITARY MUSEUM REDEVELOPMENT – DESIGN & CONSTRUCTION	1997	1999	4,290	1,438			555	1,402	895								449	150		Previously outside the 10 yr plan	444	
130.0	C&R	DUNDURN CASTLE RESTORATION – LANDSCAPE AND GARDENER'S COTTAGE	1999	1999	1,600	533					1,067								168	70		Previously outside the 10 yr plan	445	
131.1	C&R	STEAM MUSEUM 1913 BUILDING RESTORATION – FEASIBILITY STUDY	1997	1997	25			25											4			Previously outside the 10 yr plan	446	
131.2	C&R	STEAM MUSEUM 1913 BUILDING RESTORATION	1998	1999	1,400	475				400	525								146	10		Previously outside the 10 yr plan	447	
132.0	C&R	INDOOR MULTI-SPORTS COMPLEX	2003	2005	11,977																			448
133.1	C&R	MUSEUM STORAGE FACILITY AND LAB – FEASIBILITY STUDY	2000	2000	20						20						1,417	10,560	1,887	600		Previously outside the 10 yr plan	449	
133.2	C&R	MUSEUM STORAGE FACILITY AND LAB – DESIGN & CONSTRUCTION	2001	2003	4,221	1,414						541	1,399	867					442	400		Previously outside the 10 yr plan	450	
136.0	C&R	MOUNTAIN Y.M.C.A. PROPOSAL	1997	1998	8,000	4,000			2,500	1,500									630	NEW				451
137.0	C&R	RYERSON THERAPEUTIC HOT POOL	1995	1995	525	525		525											83	25		Previously outside the 10 yr plan	452	
147.0	PWD-P	WEST HARBOURFRONT DEVELOPMENT STUDIES – PHASE I	1995	1996	100		50	50											16	NEW				453
148.0	PWD-P	WEST HARBOURFRONT DEVELOPMENT STUDIES – PHASE II	1997	2004	400				50										63	NEW				454
158.1	PWD-P	PARK DEVELOPMENT AND REDEVELOPMENT PROGRAMME – PHASE II	2000	2000	600						600								95	38		Previously outside the 10 yr plan	455	
158.2	PWD-P	PARK DEVELOPMENT AND REDEVELOPMENT PROGRAMME – PHASE II	2001	2001	600							600							95	38		Previously outside the 10 yr plan	456	
158.3	PWD-P	PARK DEVELOPMENT AND REDEVELOPMENT PROGRAMME – PHASE II	2002	2002	600								600						95	38		Previously outside the 10 yr plan	457	
158.4	PWD-P	PARK DEVELOPMENT AND REDEVELOPMENT PROGRAMME – PHASE II	2003	2003	600									600					95	38		Previously outside the 10 yr plan	458	
158.5	PWD-P	PARK DEVELOPMENT AND REDEVELOPMENT PROGRAMME – PHASE II	2004	2004	600										600				95	38		Previously outside the 10 yr plan	459	
159.0	PWD-P	TURNER PARK DEVELOPMENT PHASE II	2000	2002	2,400						800	800	800						378	70				460
160.0	PWD-P	HAMILTON BEACH BREEZEWAY DEVELOPMENT	1995	1997	2,000	2,000		2,000											0	30				461
161.0	PWD-P	MACASSA PARK DEVELOPMENT	1995	1996	333		165	168											52	9	NEW			462
162.0	PWD-P	CRYSTAL PALACE – STUDY AND CONSTRUCTION	2003	2003	8,151	7,151											1,000		158	50				463
163.0	PWD-P	MOUNTAIN BROW PARKLAND LANDSCAPING	2003	2004	1,581												984	597	249	12	NEW (2004 PORTION)			464
164.0	PWD-P	SOCCER FACILITIES DEVELOPMENT	2000	2002	396							170	118	108					62	20		Previously outside the 10 yr plan	465	
165.0	PWD-P	IRRIGATION SYSTEMS – VARIOUS LOCATIONS	2000	2003	1,485							250	235	500					234			Previously outside the 10 yr plan	466	
166.0	PWD-P	CHEDOKE GOLF/SKI IMPROVEMENTS	2000	2000	579							579							91			Previously outside the 10 yr plan	467	
167.0	PWD-P	LIGHTING – FACILITY ENHANCEMENT – VARIOUS LOCATIONS	2001	2001	788									788					124	14		Previously outside the 10 yr plan	468	
168.0	PWD-P	LANDSCAPE COMPONENT – UPPER KENILWORTH AVENUE	2000	2000	81							81							13	3	NEW			469
169.0	PWD-P	GAGE PARK FENCING REPLACEMENT	2000	2000	180							180							28	NEW				470
170.0	PWD-P	SACKVILLE HILL MEMORIAL PARK DEVELOPMENT	2000	2000	719	150						569							90	8	NEW			471
171.0	PWD-P	WILLIAM CONNELL PARK DEVELOPMENT	2000	2001	1,850							900	950						291	80	NEW			472
173.0	PWD-P	MOHAWK SPORTS PARK DEVELOPMENT	2000	2001	4,000							2,000	2,000						630	80	NEW			473
174.0	PWD-P	OPEN SPACE CORRIDOR – STUDY AND CONSTRUCTION	2000	2003	1,280								50	400	410	420			202	76	NEW			474
175.0	PWD-P	IVOR WYNNE STADIUM – ELECTRICAL SERVICE & CONCESSION EQUIPMENT	2000	2000	64							64							10	NEW				475
177.0	PWD-P	IVOR WYNNE STADIUM – REPLACE AND UPGRADE SEATING	2004	2004	1,670												1,670		263		NEW			476
178.0	PWD-P	IVOR WYNNE STADIUM – WEST END ZONE EXPANSION	2004	2004	5,475												5,475		863		NEW			477
179.0	PWD-P	WATERFRONT DEVELOPMENT	2000	2004	100,000	90,000						2,500	2,500	2,500	2,500				1,575	400	NEW			478
180.0	PWD-P	PARK DEVELOPMENT – UNDEVELOPED SITES	2004	2004	5,278												5,278		832		NEW			479

1995-2004 CAPITAL BUDGET PROGRAM Schedule "B"

PROJECTED DEBT, YEARLY INCREASE OF DEBT CHARGES AND DEBT CHARGES AS A % OF ADJUSTED LEVY AND GROSS CURRENT BUDGET

FINANCIAL IMPACT - FINAL DRAFT (Management Team)

(Thousands of Dollars)

Line No.	Description	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	Total
1	DEBT TO BE ISSUED FOR PRIOR APPROVAL		14,905	9,136	1,550	1,000	1,000	1,000	1,603					30,194
2	PROJECTED NEW DEBT TO BE ISSUED		9,101	7,158	6,491	9,197	4,701	5,995	16,161	9,681	11,509	29,116		109,110
3	Total Projected Debt to be Issued		24,006	16,294	8,041	10,197	5,701	6,995	17,764	9,681	11,509	29,116	0	139,304
4														2006
5	DEBT CHARGES, if new debt approved in - 1995		2,348	3,782	3,782	3,782	3,782	3,782	3,782	3,782	3,782	3,782	3,782	1,434
6	DEBT CHARGES, if new debt approved in - 1996			2,567		2,567	2,567	2,567	2,567	2,567	2,567	2,567	2,567	2,567
7	DEBT CHARGES, if new debt approved in - 1997					1,267	1,267	1,267	1,267	1,267	1,267	1,267	1,267	1,267
8	DEBT CHARGES, if new debt approved in - 1998						1,606	1,606	1,606	1,606	1,606	1,606	1,606	1,606
9	DEBT CHARGES, if new debt approved in - 1999						898	898	898	898	898	898	898	898
10	DEBT CHARGES, if new debt approved in - 2000							1,102	1,102	1,102	1,102	1,102	1,102	1,102
11	DEBT CHARGES, if new debt approved in - 2001								2,799	2,799	2,799	2,799	2,799	2,799
12	DEBT CHARGES, if new debt approved in - 2002									1,525	1,525	1,525	1,525	1,525
13	DEBT CHARGES, if new debt approved in - 2003										1,813	1,813	1,813	1,813
14	DEBT CHARGES, if new debt approved in - 2004													4,587
15	Proposed Debt Charges													
16	PRESENT DEBT CHARGES													
17	Total Debt Charges paid out of Mill Rate	15,206	15,059	12,973	10,608	9,848	8,107	6,516	6,521	6,511	3,486	3,067	1,255	1,255
18	Transfer to/(from) reserve for Debt Charges	15,206	15,059	15,321	14,390	16,197	15,723	15,738	16,641	17,733	17,507	18,613	18,614	20,853
19	TOTAL DEBT CHARGES TO BE BUDGETED	15,206	15,059	26,294	25,008	26,045	23,830	22,254	23,162	24,244	21,013	21,680	20,274	20,853
20	NOTE - DELAYED FINANCING: DEBENTURE FINANCING WILL BE DELAYED ONE YEAR FOLLOWING COUNCIL APPROVAL													
21	DEBT CHARGES - Increase over Prior Year - Amount	189	(147)	0	(407)	1,545	(474)	15	903	1,092	(226)	1,106	1	2,239
22	Debt Charges - Increase over Prior Year - As a %	1.3%	-1.0%	0.0%	-2.7%	10.5%	-2.9%	0.1%	5.7%	6.6%	-1.3%	6.3%	0.0%	12.0%
23	Debt Charges - Average compound rate of increase 1997-2004											3.07%		
24	Debt Charges - Average compound rate of increase 1995-2004											2.04%		
25	DEBT CHARGES AS A % OF LEVY	11.65%	11.56%	11.56%	11.03%	11.95%	11.37%	11.16%	11.57%	12.09%	11.70%	12.19%	11.95%	13.13%
26	Debt Charges to Levy - Average Increase 1995-2004											11.62%		
27	Debt Charges as a % of Own Source of Revenue	8.79%	8.71%	8.71%	8.30%	9.00%	8.56%	8.40%	8.71%	9.10%	8.81%	9.18%	9.00%	9.89%
28	Debt Charges as a % of Gross Budget	9.18%	9.10%	9.10%	8.68%	9.40%	8.95%	8.78%	9.10%	9.51%	9.21%	9.59%	9.41%	10.33%
29	ASSUMPTIONS:													
30	- Capital Levy Provision in the Current Budget	2,200	3,014	4,039	5,074	6,119	6,150	6,180	6,211	6,242	6,274	6,305	6,336	6,368
31	- Adjusted Levy (Inc. 1995 to 96-0%, Other - 2% Annually)	130,547	130,287	130,287	132,893	135,551	138,262	141,027	143,848	146,725	149,660	152,653	155,706	158,820
32	- Current Budget (Annual Increase - same as above)	165,569	165,569	165,569	168,880	172,258	175,703	179,217	182,801	186,457	190,186	193,990	197,870	201,827
33	- Own Source of Revenue (Annual Increase - same as above)	172,990	172,990	172,990	176,450	179,979	183,579	187,251	190,996	194,816	198,712	202,686	206,740	210,875
34	- Interest Rate - Amortized over 10 Years @ 9.25% per annum - Annual Debt Charges Payment per \$ 1,000 is \$						157,543							
35	- The previous Capital Levy Policy of SIX MILLS has now been provided as 2.2 million for 1994 (SAME AS 1993), 3 MILLS for 1995, 4 MILLS for 1996, 5 MILLS for 1997, 6 MILLS for 1998 & on.													
36	- Assessment growth (Increase @ -0.11% for 1995 & 0.5% 1996 & on)	1,005,817	1,004,699	1,009,722	1,014,771	1,019,845	1,024,944	1,030,069	1,035,219	1,040,395	1,045,597	1,050,825	1,056,079	1,061,359

URBAN/MUNICIPAL
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A31
1995



The Urban/Municipal Collection
2nd Floor
Hamilton Public Library
+ Bill

**MEETING OF THE COUNCIL
OF THE CORPORATION OF THE CITY OF HAMILTON**

**Tuesday, 1995 March 14
7:30 o'clock p.m.
Council Chambers, City Hall**

URBAN MUNICIPAL

MAR 14 1995

**J. J. Schatz
City Clerk**

AGENDA

1. National Anthem.

2. Opening Prayer:

**Reverend Brant Loper,
Binkley United Church**

**3. Certificates of Recognition for citizens who have served on City
Committees/Boards/Commissions**

- (a) Nirmal Takhar - Committee of Adjustment
- (b) J. Cameron Nolan - HECFI
- (c) Ron Bowman - Hamilton Region Conservation Authority
- (d) Robert Helwig - Hamilton Region Conservation Authority
- (e) John Syko - Public Library Board

4. Adoption of minutes:

- (a) 1995 February 28 - regular meeting
- (b) 1995 March 2 - special meeting
- (c) 1995 March 7 - special meeting
- (d) 1995 March 9 - special meeting

5. Correspondence

6. Reports of the Standing Committees:

- (b) Transport and Environment Committee
- (c) Planning and Development Committee
- (d) Finance and Administration Committee
- (e) Hamilton-Scourge Steering Committee
- (f) Nominating Committee

(copy to follow)

- 7. *Notices of Motion from previous meeting.***
 - (a) *Alderman D. Wilson - Election to Higher Office***
- 8. *Notices of Motion for next meeting.***
- 9. *First Reading of the Bills.***
- 10. *Second Reading of the Bills - Committee of the Whole.***
- 11. *Third Reading of the Bills.***
- 12. *Question Period.***
- 13. *Adjournment.***

MINUTES

Minutes of Hamilton City Council
Tuesday, 1995 February 28
7:30 o'clock p.m.
Council Chamber, City Hall

The Council met:

Present: Mayor R. M. Morrow
Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson,
Agostino, Charters, Jackson, Merling, Anderson, D'Amico.

Absent: Alderman Eisenberger - vacation
Alderman Ross - vacation

Mayor R. M. Morrow called the meeting to order.

* * * * *

The National Anthem was played.

* * * * *

Pastor Ron Sikkema, First Reformed Church led Council in prayer.

<p>PRESENTATIONS</p>

Mr. Mike Szelag, Matthew Szelag and Jerrod Rogers presented Mayor R. Morrow with a presentation of a proclamation to Canada.

* * * * *

Mayor R. Morrow presented City Solicitor, Patrice Noe Johnson with a book on behalf of City Council in appreciation for her role as Interim Director of Culture and Recreation. This was followed by a presentation by J. Pavelka, C.A.O. on behalf of Management Team.

* * * * *

Mayor R. Morrow introduced Ross Fair, the new Director of Culture and Recreation to Members of City Council.

PROCLAMATION

Mayor R. M. Morrow proclaimed "Red Cross Month - March, 1995".

ADOPTION OF MINUTES

The minutes of the meeting held 1995 February 14 were adopted as circulated.

CORRESPONDENCE

1. Letter dated 1995 February 22 from Mr. T. Cooke, Regional Chairman respecting Cities for Climate Protection Campaign.

Referred to the Transport and Environment Committee.

2. Letter dated 1995 February 23 from Ms. Lynda Sohal, Regional Clerk's Office respecting Sewer Laterals - Ownership and Maintenance.

Referred to the Transport and Environment Committee.

3. Letter dated 1995 February 23 from Ms. Lynda Sohal, Regional Clerk's Office respecting Leaf and Yard Waste Management.

Referred to the Transport and Environment Committee.

4. Application dated 1995 February 22 from Thomas S. Loth, Hamilton, Ontario for a modification to the established "C" (Urban Protected Residential, etc.) District for 207 Fairleigh Avenue South, Hamilton, Ontario.

Received.

5. Letter dated 1995 February 21 from the Ministry of Municipal Affairs respecting the Central/Beasley Project Area final payment to the City.

Be Referred to the Planning and Development Committee.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, and the Nominating Committee be considered in Committee of the Whole with Alderman Morelli in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Charters, Jackson, Merling, Anderson, D'Amico.-15.

NAYS: -0.

CARRIED.

<p>PARKS AND RECREATION COMMITTEE - SIXTH REPORT</p>

Section 15 Re: Joint Management Agreement - Hamilton Region Conservation Authority

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Charters, Merling, Anderson. -12.

NAYS: Aldermen Agostino, Jackson, D'Amico. -3.

CARRIED.

PARKS AND RECREATION COMMITTEE - SEVENTH REPORT

Section 1 Re: Bestco Construction Corp - Hamilton Tiger-Cats

It was moved by Alderman Caplan and seconded by Alderman Wilson that Section 1 of the Seventh Report of the Parks and Recreation Committee for 1995 be amended by adding the following as Sub-Section (e):

"(e) That the contract with Bestco Construction Corp. be cancelled if a suitable lease agreement between the City and the Hamilton Tiger-Cats cannot be finalized by 1995 March 28th."

Recorded vote.

YEAS: Aldermen Kiss, Caplan. -2.

NAYS: Mayor Morrow, Aldermen Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Charters, Jackson, Merling, Anderson, D'Amico. -13. **LOST.**

* * * * *

Section 1 Re: Design Build Contract - Ivor Wynne Stadium

It was moved by Alderman Charters and seconded by Alderman Wilson that Section 1 of the Seventh Report of the Parks and Recreation Committee for 1995 be amended so that Section (d) reads as follows:

"(d) That, if possible, the above activities be completed by 1995 March 8 in order to meet the fast-tracked construction start.

and by adding sub-section (e) as follows:

"(e) That this contract not be entered into until a suitable lease agreement has been negotiated by the City for Ivor Wynne Stadium."

Recorded vote.

YEAS: Aldermen Kiss, Caplan, Drury, Wilson, Charters, Merling, Anderson, D'Amico. -8.

NAYS: Mayor Morrow, Aldermen Agro, McCulloch, Morelli, Copps, Agostino, Jackson. -7.
CARRIED.

* * * * *

Section 2 Re: Chedoke Ski Hill

Recorded vote.

YEAS: Aldermen Kiss, Caplan, McCulloch, Morelli, Agostino, Jackson, Anderson, D'Amico. -8.

NAYS: Mayor Morrow, Aldermen Drury, Copps, Wilson, Charters, Merling. -6.
CARRIED.

PLANNING AND DEVELOPMENT COMMITTEE - SEVENTH REPORT

FINANCE AND ADMINISTRATION COMMITTEE - SIXTH REPORT

Section 6 Re: City Hall Facilities - Women's Centre

It was moved by Alderman Charters and seconded by Alderman Jackson that Sub-section (a) of Section 6 of the Sixth Report for 1995 of the Finance and Administration Committee concerning the use of City Hall facilities by the Women's Centre be amended to delete the date "April 30th" and insert in lieu thereof the date "May 7th".
CARRIED.

NOMINATING COMMITTEE - THIRD REPORT

Section 1 Re: Court of Revision - Citizen appointments

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Charters, Merling, Anderson, D'Amico. -14.

NAYS: Alderman Jackson. -1.

CARRIED.

RESOLUTIONS

Re: City representative of the Single Tier Bureaucracy Review Steering Committee

It was moved by Alderman Charters and seconded by Alderman Jackson that Rule No. 8 of the City's Procedural By-law be invoked for this meeting of City Council in order to consider a motion respecting the addition of a City Council representative to serve on the Single Tier Bureaucracy Review Steering Committee. **CARRIED.**

It was moved by Alderman Charters and seconded by Alderman Jackson that Alderman G. Copps be appointed to serve as a City representative on the Single Tier Bureaucracy Review Steering Committee. **CARRIED.**

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, the Nominating Committee, and resolutions be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Drury, Morelli, Copps, Agostino, Charters, Jackson, Merling, Anderson, D'Amico. -14.

NAYS: -0.

CARRIED.

ACTING MAYOR FOR THE MONTH OF MARCH, 1995

It was moved by Alderman Kiss and seconded by Alderman Caplan that Alderman T. Jackson be Acting Mayor for the Month of March, 1995.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Drury, Morelli, Copps, Agostino, Charters, Jackson, Merling, Anderson, D'Amico. -14.

NAYS: -0.

CARRIED.

BILLS

It was moved by Alderman Kiss and seconded by Alderman Caplan that the following Bills be read a first time:

D-16, D-17.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Charters, Jackson, Merling, Anderson, D'Amico. -14.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that Council move into Committee of the Whole to consider the following Bills, with Alderman Morelli in the chair. (second reading).

D-16 and D-17.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Charters, Jackson, Merling, Anderson. -14.

NAYS: -0.

CARRIED.

* * * * *

Consideration of the Bills (second reading).

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the following Bills, be adopted:

D-16 and D-17.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Charters, Jackson, Merling, Anderson, D'Amico. -14.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the following Bills, be now read a third time, signed, sealed and enrolled as By-laws:

D-16 and D-17.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Charters, Jackson, Merling, Anderson, D'Amico. -14.

NAYS: -0.

CARRIED.

* * * * *

City Council then adjourned at 9:20 o'clock p.m.

* * * * *

Taken as read and approved.

MAYOR R. M. MORROW

S. G. Hollowell, Acting City Clerk
1995 February 28

Minutes of the Special
City Council Meeting
Thursday, March 2, 1995
1:00 o'clock p.m.
Room 233, City Hall

The Council met.

Present: Mayor Robert M. Morrow
Aldermen Kiss, Caplan, McCulloch, Morelli, Drury, Copps, Wilson, Agostino,
Jackson, Charters, Merling, Anderson, D'Amico.

Absent: Alderman V. J. Agro - ill
Alderman F. Eisenberger - vacation
Alderman D. Ross - other business

Mayor R. M. Morrow called the meeting to order.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Anderson that the Report of the Committee of the Whole be now considered in Committee of the Whole with Mayor Morrow in the Chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Morelli, Drury, Copps,
Wilson, Agostino, Jackson, Charters, Merling, Anderson, D'Amico. -14.

NAYS: -0.

CARRIED.

COMMITTEE OF THE WHOLE - FIRST REPORT

Current Budget Update and User Fees

It was moved by Alderman Kiss and seconded by Alderman Anderson that the Report of the Committee of the Whole, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Morelli, Drury, Copps,
Wilson, Agostino, Jackson, Charters, Merling, Anderson, D'Amico. -14.

NAYS: -0.

CARRIED.

BILL E-1

By-law to Confirm the Proceedings of Council

It was moved by Alderman Kiss and seconded by Alderman Anderson that Bill E-1 be now read a first time.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Morelli, Drury, Copps, Wilson, Agostino, Jackson, Charters, Merling, Anderson, D'Amico. -14.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Anderson that Council move into Committee of the Whole to consider Bill E-1 with Mayor Morrow in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Kiss, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Charters, Jackson, Merling, Anderson, D'Amico. -14.

NAYS: -0.

CARRIED.

* * * * *

Consideration of the Bills (second reading).

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Anderson that the Report of the Committee of the Whole on Bill E-1, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Kiss, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Charters, Jackson, Merling, Anderson, D'Amico. -14.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Anderson that Bill E-1 be now read a third time, signed, sealed and enrolled as a By-law.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Kiss, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Charters, Jackson, Merling, Anderson, D'Amico. -14.

NAYS: -0.

CARRIED.

* * * * *

City Council then adjourned at 3:20 o'clock p.m.

* * * * *

Taken as read and approved.

Mayor R.M. Morrow
Chairman, Committee of the Whole

S. G. Hollowell, Acting City Clerk
1995 March 2
SGH/dg

Minutes of the Special
City Council Meeting
Tuesday, March 7, 1995
6:55 o'clock p.m.
Room 233, City Hall

The Council met.

Present: Mayor Robert M. Morrow
Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Copps, Wilson, Agostino,
Jackson, Charters, Merling, Anderson, Ross, D'Amico.

Absent: Alderman B. Morelli - Other Business
Alderman F. Eisenberger - Vacation

Mayor R. M. Morrow called the meeting to order at 6:55 p.m.

* * * * *

Council recessed at 7:00 p.m. and agreed to reconvene immediately following Regional Council.

* * * * *

City Council reconvened at 9:40 p.m.

* * * * *

It was moved by Alderman Caplan and seconded by Alderman Agro that Council meet in-camera to discuss the Lease for Ivor Wynne Stadium. **CARRIED.**

* * * * *

It was moved by Alderman Caplan and seconded by Alderman Agro that the following Resolution respecting a Lease for Ivor Wynne Stadium be considered in Committee of the Whole with Mayor Morrow in the Chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, Drury, Copps, Wilson, Agostino,
Jackson, Charters, Merling, Anderson, D'Amico, Ross. -14.

NAYS: -0.

CARRIED.

RESOLUTION

Ivory Wynne Stadium - Lease

1. That the City of Hamilton enter into a 10 (ten) year lease agreement with The Hamilton Tiger-Cat Football Club (MacDonald Group) for the use of Ivor Wynne Stadium as per the following terms;

RENT: \$500/Game plus another \$500. if attendance exceeds 25,000/game and a further \$500. beyond 28,000/game.

CONCESSIONS: Club retains revenue.

SECURITY &

MAINTENANCE: City to pay security and maintenance (including maintenance for pre-game parking lot events) up to a capped amount of \$200,000.

Club pays up to a capped amount of \$30,000. for any maintenance costs over the City's \$200,000. maintenance commitment.

BEER SALES: Club retains revenue.

PARKING: Club retains revenue.

SKYBOX: Club retains revenue.

ADVERTISING: Club retains rights.

OTHER: City gets appropriate/year in-kind ad space.

City pays \$2.6M for stadium upgrades including skyboxes.

2. That the City Solicitor be directed to prepare a lease agreement between the City of Hamilton and the Hamilton Tiger-Cat Football Club (MacDonald Group), based on these terms.

Section 1 Re: Use of Ivor Wynne Stadium - 10 year lease agreement

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Agro, Drury, Copps, Agostino, Jackson, D'Amico, Ross. -9.

NAYS: Aldermen Kiss, Wilson, Charters, Merling, Anderson. -5

CARRIED.

* * * * *

Section 2 Re: Preparation of lease agreement between the City of Hamilton and the Hamilton Tiger-Cat Football Club (MacDonald Group).

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Agro, Drury, Copps, Agostino, Jackson, D'Amico, Ross. -9.

NAYS: Aldermen Kiss, Wilson, Charters, Merling, Anderson. -5 **CARRIED.**

* * * * *

It was moved by Alderman Caplan and seconded by Alderman Agro that the Resolution respecting the Lease for Ivor Wynne Stadium be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Agro, Drury, Copps, Agostino, Jackson, D'Amico, Ross. -9.

NAYS: Aldermen Kiss, Wilson, Charters, Merling, Anderson. -5 **CARRIED.**

BILL B-1

By-law to Confirm the Proceedings of Council

It was moved by Alderman Caplan and seconded by Alderman Agro:

That leave be granted to introduce the following Bill:

Bill B-1: A By-law to Confirm the Proceedings of The Council of The Corporation of the City of Hamilton.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, Drury, Copps, Wilson, Agostino, Jackson, Charters, Merling, Anderson, D'Amico, Ross. -14.

NAYS: -0. **CARRIED.**

* * * * *

It was moved by Alderman Caplan and seconded by Alderman Agro that Bill B-1 be now read a first time.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, Drury, Copps, Wilson, Agostino, Jackson, Charters, Merling, Anderson, D'Amico, Ross. -14.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Caplan and seconded by Alderman Agro that Council move into Committee of the Whole to consider Bill B-1 with Mayor Morrow in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, Drury, Copps, Wilson, Agostino, Jackson, Charters, Merling, Anderson, D'Amico, Ross. -14.

NAYS: -0.

CARRIED.

* * * * *

Consideration of the Bills (second reading).

* * * * *

It was moved by Alderman Caplan and seconded by Alderman Agro that the Report of the Committee of the Whole on Bill B-1, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, Drury, Copps, Wilson, Agostino, Jackson, Charters, Merling, Anderson, D'Amico, Ross. -14.

NAYS: -0.

CARRIED.

* * * * *

1995 March 7

It was moved by Alderman Caplan and seconded by Alderman Agro that Bill B-1 be now read a third time, signed, sealed and enrolled as a By-law.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, Drury, Copps, Wilson, Agostino, Jackson, Charters, Merling, Anderson, D'Amico, Ross. -14.

NAYS: -0.

CARRIED.

* * * * *

City Council then adjourned at 11:15 o'clock p.m.

* * * * *

Taken as read and approved.

Mayor R.M. Morrow
Chairman, Committee of the Whole

J. J. Schatz, City Clerk
1995 March 7
JJS/dg

Minutes of the Special
Committee of the Whole/City Council Meeting
Thursday, March 9, 1995
3:00 o'clock p.m.
Room 233, City Hall

The Council met.

Present: Mayor Robert M. Morrow
Aldermen Kiss, Caplan, Agro, Morelli, Drury, Copps, Wilson, Agostino,
Eisenberger, Jackson, Charters, Merling, Anderson, D'Amico.

Absent: Alderman W. McCulloch - city business
Alderman D. Ross - other business

Mayor R. M. Morrow called the meeting to order.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the City Council Committee of the Whole be considered in Committee of the Whole with Mayor Morrow in the Chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Drury, Morelli, Copps, Wilson, Agostino,
Eisenberger, Charters, Jackson, Merling, D'Amico. -13.

NAYS: -0.

CARRIED.

COMMITTEE OF THE WHOLE - SECOND REPORT

1996-2004 Capital Budget

Recorded vote on Section 1.

YEAS: Mayor Morrow, Aldermen Caplan, Drury, Morelli, Wilson, Agostino, Eisenberger,
Charters, Jackson, D'Amico. -10.

NAYS: Aldermen Kiss, Copps, Merling. -3.

CARRIED.

RESOLUTIONS

Architectural Services

It was moved by Alderman Charters and seconded by Alderman Wilson

"That the capital costs for Architectural Services costs be removed from the 1995 Capital Budget; and,

That the Chief Administrative Officer report back on the feasibility of each Department being responsible for project management for their respective projects; and,

That one person be delegated as the person responsible as the Project Management Coordinator reporting to the Chief Administrative Officer; and,

That all costs for the Architectural Services be removed from the 1995 Current Budget."
LOST.

* * * * *

It was moved by Alderman Jackson and seconded by Alderman Agostino

"That the Chief Administrative Officer report back on the feasibility of

- the capital costs for Architectural Services costs be removed from the 1995 Capital Budget; and,
- each Department being responsible for project management for their respective projects; and,
- one person being delegated as the person responsible as the Project Management Coordinator reporting to the Chief Administrative Officer; and,
- all costs for the Architectural Services be removed from the 1995 Current Budget."

CARRIED.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, D'Amico. -13.

NAYS: -0.

CARRIED.

BILL E-2

A By-law to Confirm the Proceedings of Council.

It was moved by Alderman Kiss and seconded by Alderman Caplan that Bill E-2 be now read a first time.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, D'Amico. -13.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that Council move into Committee of the Whole to consider Bill E-2 with Mayor Morrow in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, D'Amico. -13.

NAYS: -0.

CARRIED.

* * * * *

Consideration of the Bills (second reading).

* * * * *

1995 March 9

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on Bill E-2, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, D'Amico. -13.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that Bill E-2 be now read a third time, signed, sealed and enrolled as a By-law.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, D'Amico. -13.

NAYS: -0.

CARRIED.

* * * * *

City Council then adjourned at 6:00 o'clock p.m.

* * * * *

Taken as read and approved.

Mayor R.M. Morrow
Chairman, Committee of the Whole

J. J. Schatz, City Clerk
1995 March 9
JJS/dg

CORRESPONDENCE

Correspondence:

1. Letter dated February 23, 1995 from Centennial Credit Union Limited, Hamilton, Ontario for a change in zoning from "D" (Urban Protected Residential - One and Two Family Dwellings, Townhouses, etc.) District to "G" Neighbourhood Shopping Centre, etc.) District for 220 and 222 Burlington Street East, Hamilton, Ontario.

Recommendation:

Be Received.

2. Letter dated March 7, 1995 from 90074 Ontario Inc., Hamilton, Ontario for changes in zoning from "C" (Urban Protected Residential, etc.) District to "G" (Neighbourhood Shopping Centre, etc.) District, modified, for Block "1", "AA" (Agricultural) District to "G" (Neighbourhood Shopping Centre, etc.) District, modified for Block "2", "AA" (Agricultural) District to "RT-30" (Street Townhouse) District for Blocks "3" and "4", and "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, for Block "5", for lands located at Nos. 1441 - 1477 Upper James Street, Hamilton, Ontario.

Recommendation:

Be Received.

3. Letter from J. J. Schatz, City Clerk advising of objections to By-law 95-033 respecting property at Ainslie Wood Neighbourhood, Ainslie Wood East Neighbourhood, Ainslie Wood North Neighbourhood and Ainslie Wood West Neighbourhood. (previously distributed)

Recommendation:

Be Received.

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Transport and Environment Committee presents its **FOURTH** Report for 1995 and respectfully recommends:

1. That the stop sign at the intersection of Beach Road and Rowanwood Avenue be removed and relocated to the intersection of Depew Street and Rowanwood Avenue on a six month trial basis and that the City Traffic By-law 89-72 be amended accordingly.
2. That the appropriate by-law for the stop-up, close and sale of a portion of the north/south alley east of 1 Young Street, designated as Part 7, on Plan 62R-12633, be approved.
3. That a "Wheelchair Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be implemented on the east side of Palmer Road commencing at a point 111 feet south of the extended south curb line of Rosanne Crescent and extending to a point 30 feet southerly therefrom and that the City Traffic By-law 89-72 be amended accordingly.
4.
 - (a) That the existing "No Parking, 7:00 a.m. to 6:00 p.m., Monday to Friday" regulation on the south side of Market Street commencing at a point 94 feet west of Queen Street North and extending to a point 238 feet westerly therefrom, be removed; and,
 - (b) That a "No Stopping" regulation be implemented on the south side of Market Street commencing at a point 94 feet west of Queen Street North and extending to a point 90 feet westerly therefrom; and,
 - (c) That the City Traffic By-law 89-72 be amended accordingly.
5. That a "No Stopping" regulation be implemented on the west side of Riverdale Drive commencing at a point 93 feet south of the south curb line of Jerome Crescent and extending to a point 51 feet southerly therefrom and that the City Traffic By-law 89-72 be amended accordingly.
6.
 - (a) That the existing "No Parking" regulation on the west side of East 22nd Street which commences at a point 69 feet south of Concession Street and extends to a point 40 feet southerly therefrom, be replaced with two-hour parking meters; and,

- (b) That the existing "No Parking" regulation on the west side of Cliff Avenue commencing at Concession Street and extending to a point 110 feet northerly therefrom be replaced with two-hour parking meters; and,
 - (c) That the existing 110 foot "No Parking" regulation on the east side of Cliff Avenue, north of Concession be extended 51 feet northerly; and,
 - (d) That the City Traffic By-law 89-72 be amended accordingly.
7. That the existing "No Parking" regulation on the south side of Devon Place commencing at Longwood Road North and extending to a point 112 feet westerly therefrom be extended to Bond Street North, and that the City Traffic By-law 89-72 be amended accordingly.
8. That the existing "Permit Parking" regulation on the south side of Forest Avenue commencing at a point 128 feet west of John Street South and extending to a point 23 feet westerly therefrom, be removed and that the City Traffic By-law 89-72 be amended accordingly.
9. (a) That a "No Stopping" driveway clearance be implemented on the north side of Queen Victoria Drive commencing 40 feet east of the extended east curb line of Rainham Street and extending to a point 74 feet westerly therefrom; and,
- (b) That a "No Stopping" driveway clearance be implemented on the north side of Queen Victoria Drive commencing 266 feet west of the extended west curb line of Rainham Street and extending to a point 84 feet westerly therefrom; and,
- (c) That the City Traffic By-law 89-72 be amended accordingly.
10. That the duration of the existing half-hour parking meters on the east side of Mary Street between King William Street and Rebecca Street be increased to one hour and that the City Traffic By-law 89-72 be amended accordingly.
11. (a) That a "Permit Parking" regulation be implemented on the south side of Craigmiller Avenue commencing at a point 113 feet west of Ottawa Street North and extending to a point 26 feet westerly therefrom and that the City Traffic By-law 89-72 be amended accordingly; and,
- (b) That the Director of Traffic Services be authorized to issue one parking permit to Mr. Howard Myres, No. 54 Craigmiller Avenue.

12. That the existing "Permit Parking" regulation on the east side of Fullerton Avenue which commences at a point 151 feet south of Princess Street and extends to a point 19 feet southerly therefrom be removed and that the City Traffic By-law 89-72 be amended accordingly.

13. That in accordance with the request by the Hamilton Street Railway Company, the following bus stop be relocated:

Route No. 4 Bayfront
31 Fennell and 53 Burlington

Delete - Eastbound - Beach Road, south side, 99 feet east of Albemarle Street (F/S); and,

Add - Eastbound - Beach Road, south side, 23 feet west of Albemarle Street (N/S).

14. (a) That the City of Hamilton enter into a Tenancy Agreement with R & G Moore to rent the premises known as 662 Rymal Road East, subject to the terms and conditions of the Tenancy Agreement being satisfactory to the City Solicitor; and,
- (b) That a one-time rental charge of \$500. be charged for the period 1995 June 1 to 1995 June 30, for cleaning and decorating which has been agreed to be carried out by the tenant; and,
- (c) That commencing 1995 July 1, the monthly rent will be \$750. (realty taxes for the entire property are \$3,300.81 for 1995) and rental proceeds to be credited to Account No. CH44104 31106 (City Properties - Rental); and,
- (d) That the Mayor and the City Clerk be authorized and directed to execute the Tenancy Agreement in a form satisfactory to the City Solicitor.
15. (a) That the submitted schedule of works, attached hereto as Appendix "A", be adopted for inclusion in the Subdivision Agreement with the Owner for the estimated cost of services in:

"CLAUDETTE GARDENS - PHASE 7", Hamilton

City's Share - Nil Subdivider's Share - \$40,227.63; and,

- (b) That the Mayor and the City Clerk be authorized and directed to execute the proposed subdivision agreement between the City and the Owner of "Claudette Gardens - Phase 7" subdivision; and,

- (c) That approval of the above clauses be subject to the condition that no work be commenced until the Final Plan and Subdivision Agreement has been registered; and,
 - (d) That in the event the subdivider wishes to proceed prior to the registration of the Final Plans and Subdivision Agreements, they should be allowed to do so at their own risk provided they enter into a standard agreement for pre-servicing.
16. (a) That the Encroachment Agreement for 31 Fairmount Street, registered as Instrument No. 398123 C.D., be discharged; and,
- (b) That the Mayor and the City Clerk be authorized and directed to execute the discharge documents for the Encroachment Agreement, registered as Instrument No. 398123 C.D., in a form satisfactory to the City Solicitor.
17. (a) That the following City lands be incorporated into the streets in order to complete the final street widths or to provide access to newly registered subdivision developments:
- | | | | |
|-------|--------------------|------------------------------|---|
| (i) | Arrowhead Drive | Block 5
Part 2 | Plan 62M-678
Plan 62R-11311 |
| (ii) | Artistic Boulevard | Part 7 | Plan 62R-13077 |
| (iii) | Embassy Drive | Part 9 | Plan 62R-13077 |
| (iv) | Cyprus Drive | Part 1
Block 39
Part 2 | Plan 62R-12988
Plan 62M-632
Plan 62R-10173
(except 20 metres
northerly) |
| (v) | Acadia Drive | Parts 20 and 21 | Plan 62R-10529; and, |
- (b) That the by-laws to carry out the incorporation of the said land into the foregoing streets be approved; and,
- (c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the by-laws.
18. That the applications to retain inadvertent encroachments at the locations as outlined in Appendix "B", attached hereto, be approved provided:

- (a) That the owners enter into agreements satisfactory to the City Solicitor and Commissioner of Transportation/Environmental Services to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and,
 - (b) That the Mayor and the City Clerk be authorized to execute the City's standard form of agreement; and,
 - (c) That the first year fees and subsequent annual fees outlined in Appendix "B" be set for the encroachments.
19. That the application of the Hamilton YMCA Harriers to close Bay Street North from Barton Street to Burlington Street from 11:30 a.m. to 12:30 p.m. on Sunday 1995 April 2, to hold the Around The Bay Road Race, be approved, subject to the following conditions:
- (a) That prior approval from the Chief of Police or his/her designate be received; and,
 - (b) That the applicant provide proof of \$2,000,000. public liability insurance, naming the City and the Region as an added insured party with a provision for cross liability, and holding the City and the Region harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and,
 - (c) That all barricading, detour signing and traffic control be subject to the direction of the Chief of Police or his/her designate; and,
 - (d) That all barricading be supplied by and at the expense of the applicant; and,
 - (e) That "Temporary Road Closure" signs be installed in advance by the City of Hamilton Traffic Department, on the affected roadways, if deemed necessary by the Director of Traffic Services and at the expense of the applicant; and,
 - (f) That the applicant ensure that clean-up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the City and at the expense of the event organizer; and,
 - (g) That no property owner or resident within the barricaded area be denied access to their property upon request; and,
 - (h) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation/Environmental Services.

1995 March 14

20. That the proposed narrowing of Hunter Street between James and John Streets from the existing width of 19.05m to a width varying from 7.5m to 14.5m be advertised by the City Clerk in accordance with Section 300 of the Municipal Act and the necessary alteration By-law be prepared by the Director of Public Works.

21. That the City Solicitor be authorized and directed to amend By-Law 87-144, appointing Municipal Weed Inspectors under The Weed Control Act, to permit the appointment of the following 23 inspectors:

R. Aldridge
P. Booker
R. Boutcher
J. Bovaird
D. Boyer
R. Campanella
D. Cowan
R. Del Conte

R. Farthing
C. Gibbs
R. Guenther
L. Major
A. Mancini
A. Marshall
J. McShane
T. Perry

D. Pomfret
J. Pook
R. Pyne
S. Taylor
P. Tompkins
J. Turner
R. Yanke

22. (a) That the West Central Branch of the Ministry of the Environment and Energy (M.O.E.E.) be advised that the City of Hamilton has no objection to Hotz Environmental Services Inc. receiving an amendment to their Certificate of Approval No. A100146, for their facility located at 239 Lottridge Street, Hamilton, provided that all environmental safeguards normally associated with this type of activity are implemented to the satisfaction of the Ministry, and that applicable City by-laws are complied with fully; and,

(b) That a copy of this report be forwarded to the West Central Branch of the Ministry of the Environment and Energy (M.O.E.E.) for their consideration in the preparation of the amendments to the Certificate of Approval regulating the operation of Hotz Environmental Services Inc.

23. (a) That the West Central Branch of the Ministry of the Environment and Energy (M.O.E.E.) be advised that the City of Hamilton supports, in principle, Royal Recycling receiving a Provisional Certificate of Approval to operate a Waste Disposal Site (Processing) for the site located at 15 Biggar Avenue, Hamilton, subject to the following conditions:

(i) That an Environmental Noise Impact Study be conducted by the Applicant and be submitted to the Ministry of the Environment and Energy and the City of Hamilton. The Noise Study must include noise levels of all new noise sources on site and the impact that the noise level may have on the neighbouring properties; and,

1995 March 14

- (ii) That a visual barrier must be provided where the property abuts a residential use; and,
 - (iii) That the site meet the requirements of the Ontario Fire Code as outlined in the Hamilton Fire Department report dated 1995 February 14; and,
 - (iv) That all environmental safeguards normally associated with this type of activity are implemented to the satisfaction of the Ministry of the Environment and Energy and that all applicable City by-laws are complied with fully; and,
- (b) That a copy of this report and its attachments be submitted to the West Central Branch of the Ministry of the Environment and Energy for their consideration in the preparation of the Certificate of Approval regulating the proposal by Royal Recycling; and,
- (c) That the Ministry of the Environment and Energy be requested to forward a copy of Royal Recycling's final Certificate of Approval for a Waste Disposal Site (Processing) to the City of Hamilton upon its completion; and,
- (d) That the Fire Chief be directed to report back to the Transport and Environment Committee on the issue of the applicant addressing the requirements of the Ontario Fire Code.
24. (a) That the following changes be made in the maximum charges per metre of frontage for Local Improvement construction:

<u>Item</u>	<u>Maximum Charge per Metre of Frontage</u>	
	<u>Existing 1994</u>	<u>Proposed 1995</u>
(i) Curb Only	\$ 54.59	\$ 72.
(ii) Sidewalks Only	91.67	115.
(iii) Sidewalks and Independent Curbs or Combined Sidewalks and Curbs	124.63	158.
(iv) Roadway Only	228.66	257.
(v) Alleys	97.85	107.
(vi) Roadway and Curbs only (Industrial Subdivisions)	298.70	328.

- (b) That the City Solicitor be authorized and directed to amend the Local Improvement By-law.

1995 March 14

25. That purchase orders be issued for the supply of Asphaltic Concrete and Bituminous Materials as and when required during 1995 by the Public Works Department in accordance with specifications issued by Purchasing and Vendors' tenders, and financed through Stock Materials Account No. CH56197 60999, as follows:

Asphalt Surface Course (H.M.3)

Taro Aggregates Ltd., Stoney Creek	picked up	\$42.00
Cayuga Materials & Construction Co. Ltd., Cayuga	picked up	43.00
Lafarge Construction Materials, Hamilton	picked up	45.50

Asphalt Binder Course (H.M.5)

Cayuga Materials & Construction Co. Ltd., Cayuga	picked up	\$40.00
Taro Aggregates Ltd., Stoney Creek	picked up	44.00
Lafarge Construction Materials, Hamilton	picked up	45.00

HLS030 Hot Lay, HL-3(HS) Asphalt

Cayuga Materials & Construction Co. Ltd., Cayuga	picked up	\$42.00
Lafarge Construction Materials, Hamilton	picked up	47.00
Taro Aggregates Ltd., Stoney Creek	picked up	48.00

Cationic Asphalt Emulsions CRS-2

Norjohn Ltd., Thorold		0.2426
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Additional Cost to Supply a Tank for Duration of Contract

Norjohn Ltd., Thorold		No charge
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Cationic Asphalt Emulsions CRS-2

Norjohn Ltd., Thorold	CRS-2	delivered	0.2426
Norjohn Ltd., Thorold	CRS-2 Latex Modified	delivered	0.3102

Cold Laid Stockpiled Patching Material Mixture

TCG Materials Ltd., Brantford	picked up	\$47.00
Taro Aggregates Ltd., Stoney Creek	picked up	65.00
Lafarge Construction Materials, Hamilton	picked up	65.00

Cold Laid Stockpiled Patching Material Mixture

Capital Paving Inc., Guelph	delivered	\$49.70
TCG Materials Ltd., Brantford	delivered	50.00

Premium (Permanent) Asphaltic Concrete Patching Mixture QPR2000

Lafarge Construction Materials, Hamilton	QPR2000	picked up	\$99.00
	RDM6000		\$95.00

1995 March 14

Premium (Permanent) Asphaltic Concrete Patching Mixture QPR2000

TCG Materials Ltd., Brantford	QPR2000	delivered	\$ 80.00
	RDM6000		\$ 89.00
Lafarge Construction Materials, Hamilton	QPR2000	delivered	\$103.00
	RDM6000		\$ 99.00

Crack Sealing Material

McAsphalt Industries Ltd., Scarborough	delivered	.2375/lb.
Permaquik Corporation, Mississauga	delivered	.2475/lb.

26. That purchase orders be issued for the supply and delivery of Mixed Portland Cement Concrete as and when required during 1995 by the Public Works Department in accordance with specifications issued by Purchasing and Vendors' tenders and be financed through Stock Materials Account No. CH56197 60999, as follows:

<u>Dufferin Concrete Products, Hamilton</u>	<u>Delivered</u>	<u>Picked up</u>
Sidewalk, Curb and Roadway Concrete	\$99.50	\$95.50
Unshrinkable Fill	51.	48.

Independent Ready Mix Concrete, Hannon

Sidewalk, Curb & Roadway Concrete	N/A	\$100.90
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GST and PST extra where applicable. Prices per m³.

27. (a) That the City of Hamilton enter into an agreement with Crescent Oil Company of Canada Limited for a maximum City contribution of \$11,000. being 50% of the initial costs of beautifying adjacent roadside areas; and,
- (b) That the City Solicitor be authorized to prepare the necessary legal document and that the Mayor and the City Clerk be authorized to execute the document on behalf of the City; and,
- (c) That the concept plan for the Industrial Roadside Beautification and as outlined in Appendix "C" attached hereto, be approved for implementation; and,
- (d) That the maximum amount of \$11,000. be charged to Account No. CH55399 60437 - Industrial Roadside Beautification Program.

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28. (a) That the positions of Superintendent of Operations, Fleet Safety Supervisor and Garage Attendant II, be declared redundant; and,
- (b) (i) That the one position of Welder, be declared redundant; and,
- (ii) The job description of Machinist, be revised to combine the duties of Welder and Machinist and that the position be referred to Human Resources for re-evaluation; and,
- (c) That the position of Supervisor City Garage in the Fleet Services Division of Public Works, be referred to Human Resources for re-evaluation; and,
- (d) That the position of Administrative Co-ordinator in the Fleet Services Division of Public Works, be referred to Human Resources for re-evaluation; and,
- (e) That Registered Mechanical Apprentices in the Fleet Services Division of Public Works be awarded the position of Licensed Mechanic T2A, Local 5, upon completion of their apprenticeship and the passing of their Certificate of Qualification, and upon being awarded the position of licensed mechanic the position left vacant be declared redundant.
29. That a "No U Turn" sign be erected at the intersection of Acadia Drive and Butler Drive and that the City Traffic By-law 89-72 be amended accordingly.
30. That leave be granted to introduce the following Bills:
- (a) A-17 A By-law to Stop-up, Close and Authorize the Sale of Part of North/South Alley East of 1 Young Street, Designated as Part 7 on Plan 62R-12633
- (b) A-18 A By-law to Amend By-law No. 87-144 Respecting Municipal Weed Inspectors
- (c) A-19 A By-law to Incorporate City Land Designated as Block 5, Plan 62M-678 and Part 2, Plan 62R-11311 into Arrowhead Drive
- (d) A-20 A By-law to Incorporate City Land Designated as Part 1, Plan 62R-12998 and Block 39, Plan 62M-632 and Part 2, Plan 62R-10173 (except the most northerly 20 metres of Part 2, Plan 62R-10173) into Cyprus Drive

1995 March 14

- (e) A-21 A By-law to Incorporate City Land Designated as Part 7, Plan 62R-13077 into Artistic Boulevard
- (f) A-22 A By-law to Incorporate City Land Designated as Part 9, Plan 62R-13077 into Embassy Drive
- (g) A-23 A By-law to Incorporate City Land Designated as Parts 20 and 21, Plan 62R-10529 into Acadia Drive
- (h) A-24 A By-law to Amend By-law No. 89-72 to Regulate Traffic
- (i) A-25 A By-law to Amend By-law No. 89-72 to Regulate Traffic
- (j) A-26 A By-law to Amend By-law No. 89-72 to Regulate Traffic

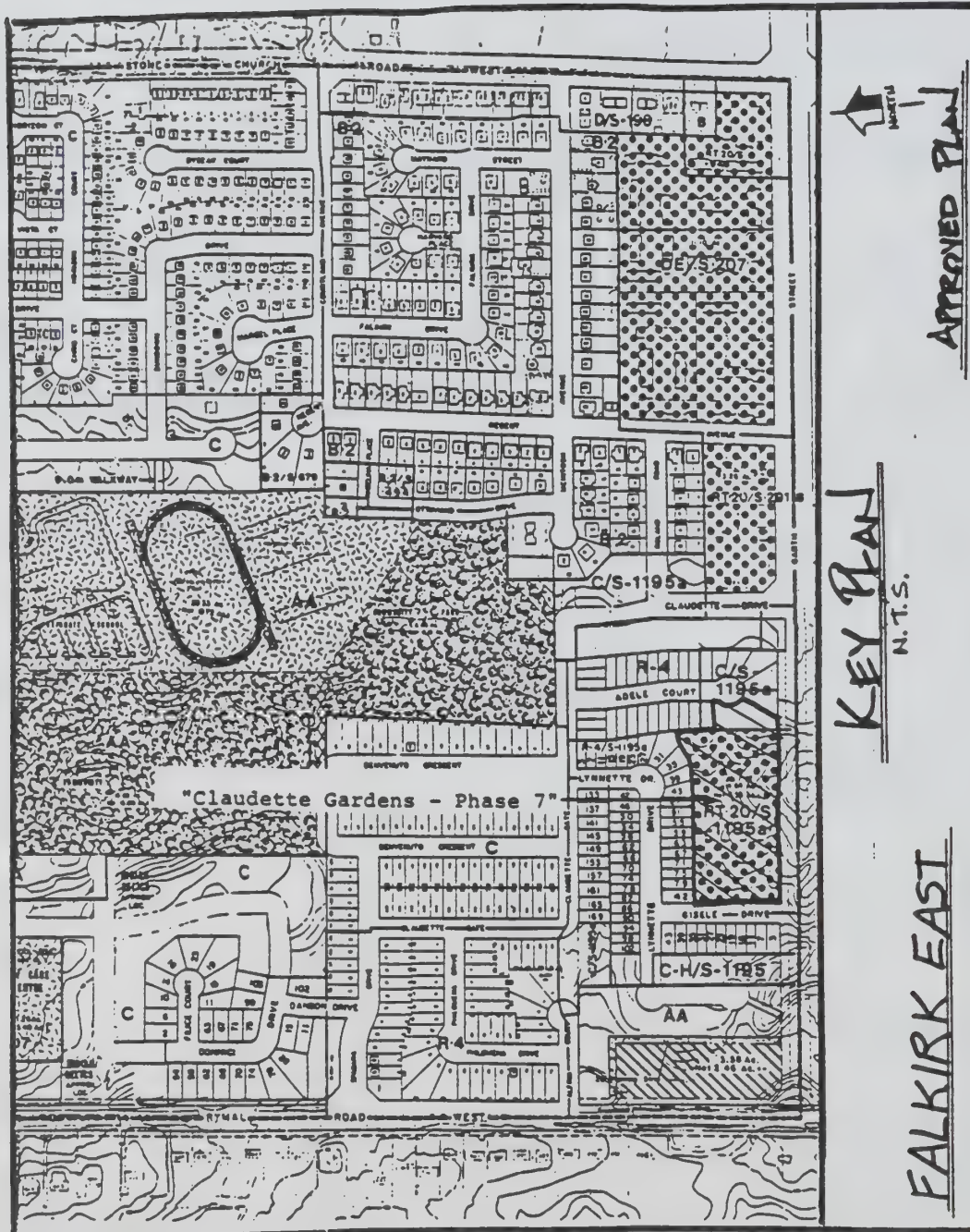
Respectfully Submitted,

**ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE**

**Kevin C. Christenson
Secretary**

1995 March 6

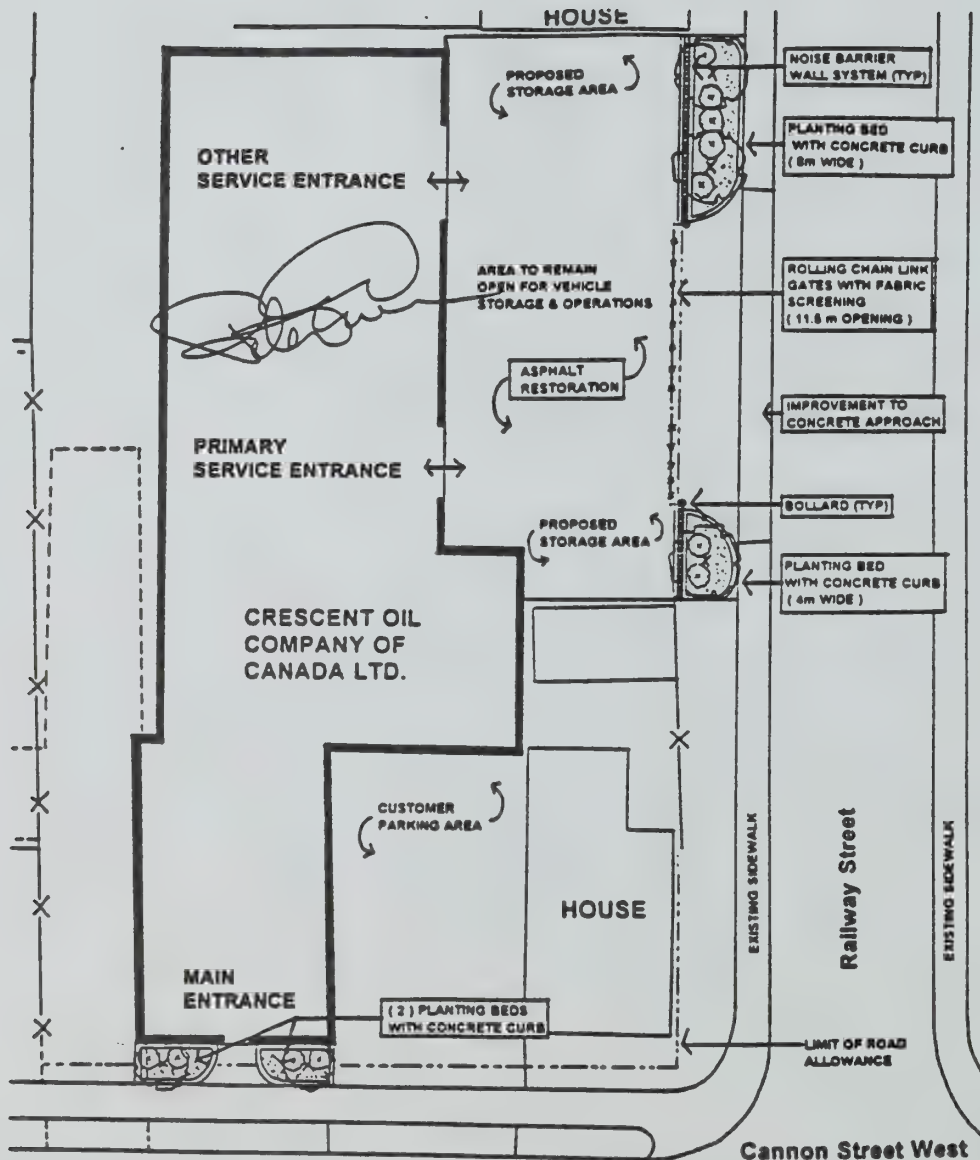
Appendix "A" as referred to in
Section 15 of the FOURTH Report
of the Transport and Environment
Committee for 1995



Appendix "B" as referred to in
Section 18 of the FOURTH Report
of the Transport and Environment
Committee for 1995

<u>Location</u>	<u>Owner</u>	<u>Type of Encroachment</u>	<u>First Year/Annual</u>	<u>File Number</u>
17 Ferrie St. E.	R. and O. Hernandez	Porch 1.414m x .7224m	138/20	T130 50 (1151)
263 Kensington Avenue	N. M. Kitich	Building 9.144m x .00609m Stoop 1.068m x .725m	138/20	T103 50 (1147)
91 Colbourne St.	Pecego	Building 5.334m x .3048m	138/20	T103 50 (1149)
237 Hunter St. W	W. Hearne and C. Tinkess	Porch 1.905m x 1.0912m	138/20	T103 50 (1152)
97 Macaulay St.	Da Costa	Porch .762m x .381m	138/20	T103 50 (1136)
46 Jackson St. E.	D. Dore	Building .04864m x 4.6939m	138/20	T103 50 (1109)

Appendix "C" as referred to in
Section 27 of the FOURTH Report
of the Transport and Environment
Committee for 1995



Project **CRESCENT OIL COMPANY
OF CANADA LTD.**
Title **INDUSTRIAL ROADSIDE
BEAUTIFICATION PROGRAM —
APPROVED CONCEPT**

Date **FEB. 15, 1995.**
Scale **1: 200 metric**
Dwg. No.

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **EIGHTH** Report for 1995 and respectfully recommends:

1. That approval be given to City Initiative 95-A, for a further modification to the established "D" (Urban Protected Residential - One and Two Family Dwellings) District regulations, for properties located on the west side of Locke Street South, between King Street West and Main Street West (municipal numbers 18 to 64 Locke Street South) as shown on the attached map marked as Appendix "A", on the following basis:
 - (a) That the "D" (Urban Protected Residential - One and Two Family Dwellings) District as contained in Section 10 of Zoning By-law No. 6593, as amended by By-law No. 91-124, applicable to the subject lands, be further modified as follows:
 - (i) That Section 1.(c) of By-law No. 91-124 be deleted in its entirety.
 - (b) That the amending by-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1219a, and that the subject lands on Zoning District Map W-12 be notated S-1219a; and,
 - (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593, as amended by Zoning By-law No. 91-124, and Zoning District Map W-12 for presentation to City Council; and,
 - (d) That the approved Strathcona Neighbourhood Plan be amended to delete the special policy that vehicular access from Locke Street South will be prohibited for new development along the west side of Locke Street; and,
 - (e) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
2. That the request by John Flynn of Sonke Holdings for payment by installment of the Cash-in-Lieu sum of \$22,500. be approved subject to the following conditions:
 - (a) payment duration shall be for 10 years with 10 annual installments; and,
 - (b) interest shall be paid on the outstanding balance, on an annual basis, at a rate of 1% above prime; and,

3.
 - (a) That City Council accept the offer from the Province to provide a \$1-million funding for Barton Street Initiatives; and,
 - (b) That the City Treasurer return to the Province the OHRP funds of approximately \$4.8-million on or about 1995 March 31 as requested by the Ontario Ministry of Housing under amended Regulation 641 of the Housing Development Act; and,
 - (c) That the Building Department be directed to implement a revised Barton Street Redevelopment Program as outlined on Appendix "B" hereto.
4.
 - (a) That a Barton Street Revitalization Committee be established composed of the Ward Aldermen, a BIA representative, a resident of the area, a member of the Task Force (Barton Street), and representatives from various departments responsible for delivery; and,
 - (b) That the Building Department be authorized and directed to disband the Barton Street Implementation Committee; and,
 - (c) That the Building, Law, and Treasury Departments be authorized and directed to discontinue work on the Barton Street Community Development Corporation.
5. That City Council approve the request from Urbacore Management Ltd. for reduction of the letter of credit for the site plan agreement at 1365 Limeridge Road East from \$111,000 to \$64,000 based on partial completion of the site works.
6.
 - (a) That the request by Frank Doracin, on behalf of Paletta International Corporation, owners, to extend draft plan approval for the "Rymal Business Centre No. 1" subdivision under Regional File 25T-82008R for a further three (3) years to 1998 March 30, be received, and that an interim extension of four (4) months, to 1995 July 30, be approved to allow the Regional Roads Department time to review the current conditions of draft approval, and to prepare the terms of required storm-water management studies; and,
 - (b) That the City Clerk be directed to advise the Regional Commissioner of Planning and Development of Council's decision.
7.
 - (a) That the request of Mr. Mario Bartolini, Q.C., Solicitor for Carriage Gate Homes Ltd. owner, to establish maintenance easements by removing part-lot control from Lots 4 to 15 inclusive, and Lots 17 to 22, inclusive, "Acadia Estates" plan of subdivision, Registered Plan 62M-776, be approved; and,

- (b) That a By-law to Remove Part-Lot Control from Lots 4 to 15 inclusive, and Lots 17 to 22, inclusive, "Acadia Estates" plan of subdivision, be enacted by Council; and,
 - (c) That following enactment of this By-law, that the Regional Municipality of Hamilton-Wentworth (as delegate of the Minister of Municipal Affairs) be requested to grant approval to the By-law and endorse the same on the By-law; and,
 - (d) That following completion of the conveyances being permitted by the said By-law to Remove Part-Lot Control, a by-law be enacted to repeal the said By-law.
8. That a Hamilton Emergency Loan (H.E.L.P.) in the amount of one thousand, seven hundred and fifty dollars (\$1,750.) be approved for Christena MacNeil, 359 Strathearne Avenue, Hamilton. The interest rate will be 8 per cent amortized over 5 years.
9. That the Building Commissioner be authorized to issue a demolition permit for the following properties in accordance with By-Law No. 74-290 pursuant to Section 33 of The Planning Act, as amended:
- (a) 21 Biggar Avenue
 - (b) 287 Brucedale Avenue East
 - (c) 1425 Upper James Street
 - (d) 1429 Upper James Street.
10. (a) That Section 15 of the First Report for 1994 of the Planning and Development Committee respecting the denial of Zoning Application 93-37 to permit additional restaurant uses within the existing shopping plaza, on lands located at 986-998 Upper Wentworth Street be rescinded; and,
- (b) That Zoning Application 93-37 be approved; and,
 - (c) That the City Solicitor and Director of Local Planning be authorized to take the necessary action to withdraw the City's objections to the aforementioned rezoning.

1995 March 14

11. That leave be granted to introduce the following Bills:

- (a) C-20 A By-law to Remove Lands within the Acadia Estates Sub-Division, Plan 62M-776 from Part-Lot Control.
- (b) C-21 A By-law to Amend Zoning By-law No. 6593 Respecting Part of Land Located at Municipal No. 160 Main Street East.
- (c) C-22 A By-law to Amend Zoning By-law No. 6593 Respecting Lands Located North of Limeridge Road East and West of Upper Kenilworth Avenue (proposed extension of Lockheed Drive).

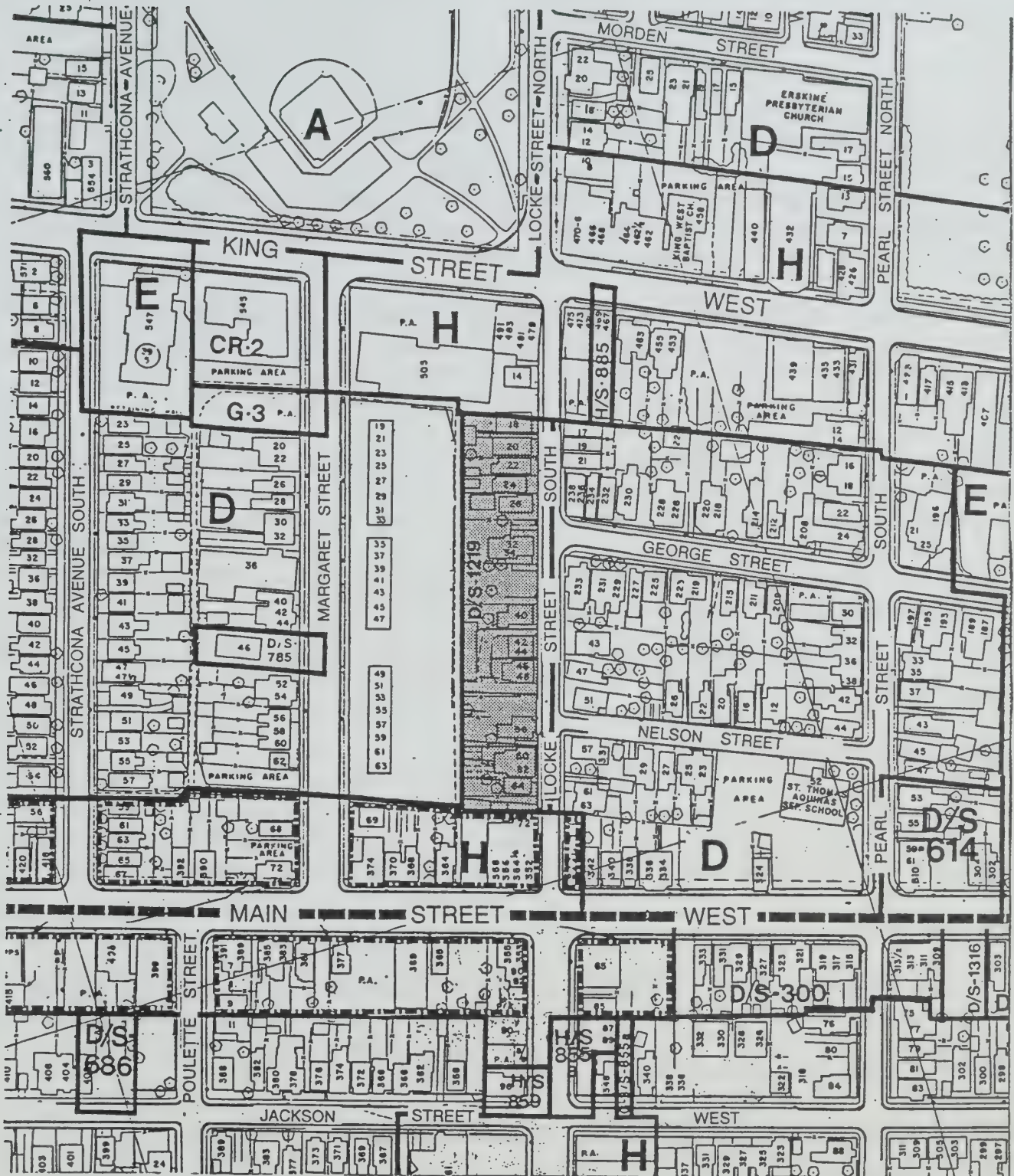
RESPECTFULLY SUBMITTED,

**ALDERMAN D. DRURY, CHAIRPERSON
PLANNING AND DEVELOPMENT COMMITTEE**

**Stella Glover
Secretary**

1995 March 8

1995 March 14



Legend



Site of the Application



Commercial Program

The Building Department in conjunction with the Barton Street Business Improvement Area (BIA) will provide money to building owners and tenants for rehabilitation and improvements to commercial properties located in the Barton Street BIA.

A low interest loan covering 100% of the eligible interior and exterior improvement costs to a maximum of \$20,000. per address will be available. Of this amount, 50% will be available as a grant when all work is completed and will be granted back at 30% upon construction completion, 30% after one year, and the remaining 40% after two years.

Where an owner owns more than one building within the Barton Street BIA, the total maximum an owner can obtain is \$30,000. Owners of businesses who do not own any real property may borrow a maximum of \$5,000. for interior and exterior work.

The interest rate on the loan will be one half of prime on the date the loan agreement is signed. The loan will be amortized over ten years and will be secured by a lien.

This will be reviewed after three years to explore the possibility of extending the program further along Barton Street.

Exterior Facade Improvement

A loan up to \$5,000. per address will be provided for building owners and lessees for painting, exterior cleaning, caulking, etc. to improve the exterior appearance of properties on Barton Street. Applicants will be eligible for a 50% grant of the loan amount upon completion of the work.

Mural Project

The City of Hamilton will provide \$20,000. to the Barton Street BIA on a yearly basis for mural projects on Barton Street. Guidelines will be established by the City's Arts Co-ordinator and final approval will rest with the BIA, the Arts Advisory Sub-Committee and the Task Force of the Barton Street Revitalization/Cultural Industry Strategy.

It is anticipated that the mural projects will utilize local artists mentoring students.

Street Enhancement

Funds will be utilized for minor street improvements. In conjunction with the BIA and the various Arts groups, funding will be available for banners, benches, flower beds, and other improvements. It will also be used for assisting the Barton Street BIA in organizing, promoting, and implementing street festivals. Determination of funding disposition will be by the BIA, community partners, and various art groups to provide a cultural diversity.

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

.. Members of Council:

The Finance and Administration Committee presents its **EIGHTH** Report for 1995 and respectfully recommends:

1. (a) That the City of Hamilton resolve Ontario Court (General Division) Action No. 18981/90 by the payment to the Plaintiffs, Mark and Dana Fairclough, of the sum of \$2,950. inclusive of all claims for damages, interest and costs; and,
- (b) That the Plaintiffs be required to execute a Full and Final Release to the City of Hamilton in a form satisfactory to the City Solicitor; and,
- (c) That the action and all crossclaims in the action be dismissed without costs.
2. That the City of Hamilton Taxicab Priority List of 228 names of individuals who renewed their names on the Taxicab Priority List, in accordance with By-law 93-069, attached herewith and marked Appendix "A", be approved.
3. That approval be given to the action taken by the City Clerk in authorizing the Project Development Branch of the Ontario Realty Corporation to use the second floor foyer (west end) from Friday, 1995 February 17 until Friday, 1995 March 3 to display a model of the New Hamilton Court House.
4. That the City Treasurer be directed to close the following Capital Project accounts with any excess funding to be transferred to its original source of financing:

Capital Centre Number	Project Description	Authorized Gross Cost	Expended/ Committed To Date	Balance Available	Source(s) of Financing
(a) 319441007	Rosedale Arena-Roof Replacement	\$180,000.00	\$137,861.12	\$42,138.88	CL
(b) 319441008	Scott Park Arena - Roof Replacement	150,000.00	147,290.64	2,709.36	CL
(c) 319441012	Farmers' Market-Roof Replacement	134,000.00	104,432.86	29,567.14	CL
(d) 489441034	Central Fire Station-Major Repairs	86,120.00	86,110.22	9.78	RCP
(e) 709241002	Chedoke Pool-New Change/Washroom Facilities	175,000.00	173,816.55	1,183.45	RCP
TOTAL				\$75,608.61	

5. (a) That the City be authorized to enter into Extension Agreements, if required, in a form satisfactory to the City Solicitor and the City Treasurer pursuant to Section 8 of the Municipal Tax Sales Act, with the owners of the following properties to extend the time open for payment of realty tax arrears in accordance with the policy for extension agreements approved by City Council on 1994 June 28:

227 Mary	1291 Cannon East
188 Cavell	22 Belmont
188 Graham South	58 Garside South
316 Woodward	32 Britannia
101 Robins	712 Upper Gage
1024 King East	
224 Mary	

- (b) That the Mayor and City Clerk be authorized to execute the by-law and extension agreements.
6. That the following properties be declared surplus to the requirements of the City in accordance with the Realty Sales Procedural By-law 95-049:

- (a) 775 Upper Wentworth Street
- (b) 91 Nash Road North
- (c) 817* Stone Church Road East
- (d) 940 Queensdale Avenue East
- (e) 284 Sherman Avenue South
- (f) 253 Kenilworth Avenue North
- (g) 195 Parkdale Avenue North
- (h) 1477 Upper James Street
- (i) 96* Stone Church Road East
- (j) 1319 Main Street East
- (k) 26 Ewen Road
- (l) 45* Owen Place
- (m) 177 Sherman Avenue North
- (n) 314 Grosvenor Avenue North

1995 March 14

7. That leave be granted to introduce the following Bills:

- (a) D-18 A By-law to Authorize an Extension Agreement for Payment of Realty Tax Arrears.
- (b) D-19 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

Respectfully submitted,

**ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan K. Reeder, Secretary
1995 March 7**

**CITY OF HAMILTON
TAXICAB PRIORITY LIST**

NOTE: Plate issuances are NOT automatic for any reason.

All applications are considered within the terms
and conditions contained in relevant by-laws as
enacted by Hamilton City Council.

All addresses without the name of a City/Town are located
within the City of Hamilton.

**EFFECTIVE: JULY 25, 1989 - City Council
REVISED: Dec. 31, 1994**

**APPLICATION DATE
YR/MO/DAY NAME**

73.5.11	Lou Parco
75.8.18	Simon Hishmeh
75.9.15	Hassan Agha
78.1.25	Barbara Jean O'Neill
78.2.1	Marilyn Majoros
78.2.13	Paul Hathaway
78.2.15	Theresa Donald
78.2.15	Roman Jankevicius
78.2.16	Cecil Snow
78.2.23	Robert Offen
78.3.7	George Kepenyas

78.4.3	Hans Wienhold
78.4.17	Khalil Zourob
78.7.24	Ishar Singh Thiara
78.12.5	William T. Winship
79.3.30	Joseph Kubina
79.4.3	Peter C. Eldridge
79.5.9	Muriel Truelove
79.5.9	John Driscoll
79.5.9	Ken Muschik
79.5.9	Gordon Simigian
79.5.9	Gary A. Vere
79.5.9	Richard M. Stolman
79.5.10	Gerald J. McRoberts
79.5.10	Garry C. Gardiner
79.5.10	Petros Iliou
79.5.10	Steve Iliou
79.5.10	Norman L. Domenico
79.5.11	Norman G. Chatten
79.5.11	June Luke
79.5.14	Judith Offen
79.5.15	Daniel Gagnon
79.5.17	Edward J. Halloran
79.5.18	Walid Chafic

79.5.18	Leopauld G. Beauchamp
79.5.22	Yair Ziser
79.5.23	Hannibal Rizzuto
79.5.28	Malcolm R. Moore
79.5.28	Colin O'Rourke
79.5.28	William D. Cranston
79.6.1	Thomas G. Brown
79.6.4	Lynne B. Clay
79.6.6	Leonard Willetts
79.6.26	Gerald J. Tremblay
79.6.28	Earl J. Shaidle
79.7.5	Stan Krok
79.7.12	Wainwright Cruickshank
79.7.13	Gordon Cumming
79.8.15	Adnan Shedhadeh
79.9.11	Sharon Bellamy
79.10.01	Daniel L. Bernier
79.10.5	Lorraine Mooney
79.10.30	William J. Perkins
79.11.9	Larry Roberge
79.11.14	Roger Francoeur
79.11.19	Michael McLoughlin

79.12.6	Peter Obratoski
79.12.17	Zuhair Shihadeh
79.12.18	Dan Bissett
80.1.14	Antal Takacs
80.2.11	J. Michael Grant
80.2.12	Marc Stuart Hathaway
80.2.14	Yoginder K. Sharma
80.2.27	Adelia Balice
80.2.28	Cosimo Balice
80.3.26	Paul Voloundakis
80.7.14	Anthony Paul DiCiccio
80.7.29	Inam-Ur-Rehman
80.10.6	Joginder S. Sanghera
80.10.6	Gurdip S. Soor
80.12.5	Mohammad Ahmed
80.12.18	William T. Stokoe
80.12.22	Kaloust Kaloustian
80.12.23	Robert Koczerzat
80.12.24	Solomon Marcellin
81.1.7	Randall G. Cruden
81.1.20	Michele A. Gilmour
81.4.8	Nathan Anderson

81.4.22	John Weiss
81.4.30	Shirley Hathaway
81.8.6	Daniel Veltri
81.10.26	Stephen Jones
81.10.30	Ronald Mladenich
81.11.24	Wayne Stewart McGregor
81.12.14	Elaine Suggett
81.12.16	George Truelove
81.12.18	Larry E. Fitzpatrick Sr.
82.1.13	Donald Horrocks
82.1.18	Richard Urban
82.1.28	John Francis Mooney
82.1.28	Anthony Rizzuto
82.2.1	Philip Dales
82.2.8	Drago Basic
82.2.10	Alecia Davis
82.2.26	John C. MacDonald
82.3.18	Theodors Toma
82.4.5	Putrus Isak
82.4.14	Jogindar Singh Dhaliwal
82.6.8	Keith Johnson
82.6.10	Donna Bourke

82.6.24	William Khammo
82.6.24	Andrea Rochelle Rosart
82.7.6	Pat Rostron
82.7.6	Randy Rostron
82.7.21	Thomas F. Sebisty
82.7.21	Pierre Richard
82.8.9	Frederick R. Neale
82.10.8	Richard Sindall
82.10.18	Harbans Singh Kalsi
82.11.1	Mark Granby
82.11.8	Uffe Mortensen
82.11.8	William G. Romans
82.12.1	Sam Veltri
82.12.17	Elizabeth Jane Milligan
82.12.17	Tessie Mary Manson
82.12.23	Ahmad Malik
83.2.21	Ronald Geer
83.4.27	Basil W. Scime
83.5.18	Devinder Bains
83.6.9	Sandra Fukumoto
83.7.4	Dane Hathaway
83.8.15	Madan Lal Arora

83.9.19	Brenda Roberge
83.10.25	Mohinder Singh Lamba
84.1.26	Lee Michael Vidovich
84.1.31	Richard VanKleef
84.7.12	Rudolph A. Cizek
84.8.2	Jefferson Lee Johnson
84.10.1.	Alan R. Kent Sr.
84.10.1	Alan R. Kent
84.10.1	Janice Parry Kent
84.10.3	Collette Roberge
84.10.10	Anthony P. Tartaglia
84.10.10	Al Reichert
84.10.22	Anne Scime
84.10.30	Paul Marshall
84.10.31	Darryl Scott Friend
84.11.20	Bruce Griffith
84.12.14	Kidane Gebre Zerezghi-Tewolde
84.12.19	Michael Roth
84.12.19	Ben Kalika
84.12.28	Ronald W. Moroz
85.1.24	Sukhdev Singh Bhatti
85.2.26	Mohammad Naeem Khan

1995 March 14

85.4.4	Naomi E. Brink
85.5.29	Delmer(Wayne)Robinson
86.1.16	Leonard Roberge
86.1.31	Jack H. Yachouh
86.1.31	Karlís Valodze
86.2.6	Rudolf J. Weber
86.5.8	Ian E. Morrice
86.7.2	Michael Geer
86.7.3	Denise Georgian
86.8.5	Shabir Ahmed
86.9.5	Habte-ab Tecle-Mariam
86.10.2	Ibrahim Saddik
86.10.23	Peter H. Robertson
86.12.10	John Fischer
86.12.15	Jeff Sindall
86.12.29	Anthony R. Rizzuto
86.12.29	Felita Anderer
86.12.29	J. Wayne Vanderham
86.12.29	Lance Vanderham
86.12.29	Shahid Butt
86.12.30	Shakil Siddiqui
87.1.2	Rob Hathaway

87.1.5	Basharat Butt
87.1.8	William Majoros
87.1.9	Eric Shepherd
87.1.20	Ken A. Watson
87.1.26	Wayne Lepine
87.2.10	Dirk J. Van Boort
87.2.19	Gordon A. Greb
87.2.23	Edward Seeley
87.2.26	Radmila R. Iliou
87.3.6	Peter Kalika
87.4.21	John R. Kurpeikis
87.5.1	Joseph Vanderheyden
87.5.16	Nabo Terika
87.5.29	Kenneth C. Reichert
87.8.31	Alisa A. Cleary
87.10.8	Bonnie L. Roubos
87.11.25	William P. McKenna
87.12.21	Joseph Varga
88.1.4	Berhane Asghedom
88.1.5	Frederick J. Muldoon
88.1.6	Mario Posteraro
88.1.13	Jagir Multani

88.1.14	Gurdeep Braich
88.1.18	Paul J. Shaver
88.1.29	Mohammad Farooq
88.2.10	Michael J. Magee
88.2.12	James Whittaker
88.2.22	Raphael Kolenko
88.2.22	Al Arthurs
88.2.26	Martha Ferguson
88.2.26	Sam Sleiman
88.3.31	Brian Cosgrove
88.4.19	Rodger McEachern
88.4.25	Audrey Johnson
88.5.4	Pantelis Ilios
88.5.11	Farrukh Qureshi
88.6.24	Ijaz H. Syed
88.8.7	Ronald Airth
88.9.6	Claudio Balice
88.9.19	Ghulam N. Butt
88.10.20	Michael G. Ford
88.11.4	Robert Maschewski
88.11.10	George Hutchinson
88.11.16	Sandra Hathaway

1995 March 14

89.1.10	Ronald VanKleef
89.1.11	Brent J. Dawson
89.1.13	Ray Maurice
89.1.24	Jerry Zaraski
89.2.13	Larry P. E. Broadbent
89.4.5	Daniel Sullivan
89.4.24	Mary Button
89.7.13	Josephine Rizzuto
89.7.26	Peter Rihbany
89.8.3	Dimitrios Alkabakopoulos
89.8.8	Elizabeth Elkan
90.06.15	William Perks
90.08.31	Gail Rizzuto
91.02.20	Ronald Roberge
91.03.26	Edward C. Beattie
91.04.17	Tokunbo(Dave)Ogunlade
92.01/03	Jagtar Singh Chahal
92.09.04	Angela Rizzuto

1995 March 14

REPORT OF THE HAMILTON-SCOURGE STEERING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Hamilton-Scourge Steering Committee presents its **FIRST** Report for 1995 and respectfully recommends:

1. That any expressions of interest to explore the site of the Hamilton and Scourge be kept on file until conditions of the two ships and safety concerns are determined and addressed.

Respectfully Submitted,

**ALDERMAN W. McCULLOCH, CHAIRPERSON
HAMILTON-SCOURGE STEERING COMMITTEE**

**Kevin C. Christenson
Secretary**

1995 March 2

1995 March 14

REPORT OF THE NOMINATING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Nominating Committee presents its **THIRD** Report for 1995 and respectfully recommends:

RESPECTFULLY SUBMITTED

**CHAIRMAN,
NOMINATING COMMITTEE**

J.J. Schatz, Secretary
1995 March 14

NOTICES OF MOTION

NOTICE OF MOTION - ALDERMAN D. WILSON
(February 14 meeting)

MOVED BY: ALDERMAN

SECONDED BY: ALDERMAN

"That any member of City Council who seeks election to higher office be required to resign their seat once they are officially nominated as a candidate".

**MEETING OF THE COUNCIL
OF THE CORPORATION OF THE CITY OF HAMILTON**

**TUESDAY, 1995 MARCH 14
7:30 O'CLOCK P.M.
COUNCIL CHAMBER, CITY HALL**

B I L L S

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 95-

**TO STOP-UP, CLOSE AND AUTHORIZE THE SALE OF
PART OF NORTH/SOUTH ALLEY EAST OF 1 YOUNG STREET, DESIGNATED AS
PART 7, ON PLAN 62R-12633**

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297 of The Municipal Act, Revised Statutes of Ontario, 1990, Chapter M.45, and amendments thereto, to establish and layout, widen, alter, divert, stop-up, lease, close, sell or retain any highway or part of a highway;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Item 6 of the Report 10-94 of the Transport and Environment Committee on 1994 July 26, authorized the City to sell part of an alley east of 1 Young Street, being more particularly described as Part 7, on Plan 62R-12633;

AND WHEREAS The Corporation of the City of Hamilton is the owner of the above described lands;

AND WHEREAS Notice of the City's intention to pass this By-Law has been published as required by Section 300 of the Municipal Act for four consecutive weeks in the Hamilton Spectator, a newspaper having general circulation in the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton, through its Transport and Environment Committee, has heard all persons who applied to be heard, no matter whether in objection to or in support of this By-Law;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. That the portion of alley east of 1 Young Street described as;

All of the alley being Part of Lots 149, 150, 164 and 165, on Registered Plan 1431, designated as Part 7, on Plan 62R-12633.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

Are hereby stopped and closed.

2. That an offer to purchase the northerly 11.8' of Part 7, on Plan 62R-12633, be extended to the owners of 165 James Street South for the sum of \$8,100.00, subject to the highway closing and sale purchases in the Registry Act and the Municipal Act.
3. In the event that the owner of 165 James Street South does not accept the offer within thirty (30) days of the passing of this By-Law, that the soil and freehold of the said closed portion of alley, designated as Part 7, on Plan 62R-12633, be sold to Hamilton Medical Arts Building Limited or their successors in title for the sum of \$35,000.00, in accordance with the provisions of the agreement dated 1994 June 8; subject to the highway closing and sale purchases in the Registry Act and the Municipal Act.

(cont'd pg 2)

Page 2

**To stop-up, close and authorize the sale of part of north/south alley east of 1 Young Street,
designated as Part 7, on Plan 62R-12633**

By-Law 95-

4. That this By-Law shall come into force and take effect on the date of its registration and the Commissioner of Transportation/Environmental Services is hereby authorized to register this By-Law.

PASSED this

day of

A.D. 1995

City Clerk

Mayor

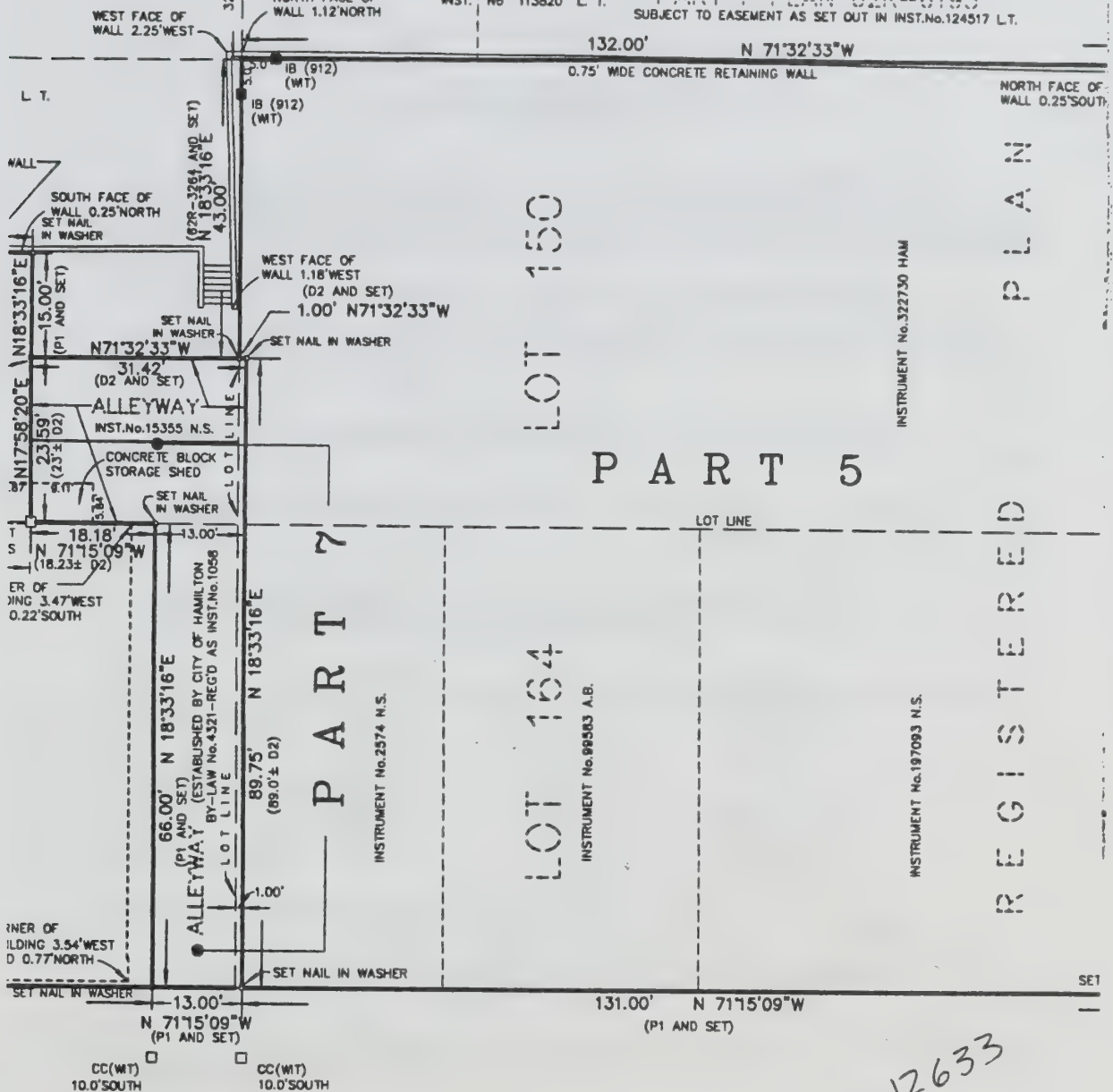
ART 2
2R-3264

PART 12
62R-3264

PART 12-PLAN 62R-3264

CEL 132-1 SECTION W-1431(c)

PART 1-PLAN 62R-6193
SUBJECT TO EASEMENT AS SET OUT IN INST.No.124517 L.T.



YOUNG STREET

LISHED BY REG'D PLAN No.1431)

The Corporation of the City of Hamilton

BY-LAW NO. 95-

To Amend

By-law No. 87-144

Respecting:

MUNICIPAL WEED INSPECTORS

WHEREAS By-law No. 87-144, passed on the 12th day of May 1987, provided for the appointment of Municipal Weed Inspectors under subsections 6(1) and 8(1) of the Weed Control Act, R.S.O. 1980, Chapter 530, (now R.S.O. 1990, Chapter W.5);

AND WHEREAS By-law No. 87-144 was amended by By-law No. 94-037;

AND WHEREAS it is intended to revise the list of appointed Municipal Weed Inspectors;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. Section 2 of By-law No. 87-144, as amended by By-law No. 94-037, is repealed and the following substituted therefor:

"2. The following persons are hereby appointed Municipal Weed inspectors to enforce the Weed Control Act in the City of Hamilton.

R. Aldridge	R. Farthing	D. Pomfret
P. Booker	C. Gibbs	J. Pook
R. Boutcher	R. Guenther	R. Pyne
J. Bovaird	L. Major	S. Taylor
D. Boyer	A. Mancini	P. Tompkins
R. Campanella	A. Marshall	J. Turner
D. Cowan	J. McShane	R. Yanke
R. Del Conte	T. Perry	

2. By-laws No. 92-106 and No. 94-037 are repealed.
3. In all other respects, By-law No. 87-144 is hereby confirmed, unchanged.

PASSED this _____ day of _____, 1995.

CITY CLERK

MAYOR

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 95-

TO INCORPORATE CITY LAND
DESIGNATED AS BLOCK 5, PLAN 62M-678 AND
PART 2, PLAN 62R-11311
INTO ARROWHEAD DRIVE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to incorporate a portion of the highway known as Arrowhead Drive within its limits, the land described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Arrowhead Drive.

Firstly:

Part of Lot 9, Concession 1, in the geographic township of Glanford, designated as Part 2, Plan 62R-11311.

Secondly:

All of Block 5, Plan 62M-678.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation/Environmental Services or his duly authorized agent is hereby authorized to open as public highway the said lands.

3. This by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this

day of

A.D. 1995

City Clerk

Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 95-

TO INCORPORATE CITY LAND DESIGNATED AS
PART 1, PLAN 62R-12998 AND BLOCK 39, PLAN 62M-632
AND PART 2, PLAN 62R-10173 (EXCEPT THE MOST
NORTHERLY 20 METRES OF PART 2, PLAN 62R-10173)
INTO CYPRUS DRIVE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to incorporate a portion of the highway known as Cyprus Drive within its limits, the land described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Cyprus Drive.

Firstly:

Part of Lot 11, Concession 7, in the geographic township of Barton, designated as Part 1, on Plan 62R-12998.

Secondly:

All of Block 39, Plan 62M-632.

Thirdly:

Part of Lot 12, Concession 7, in the geographic township of Barton, designated as all of Part 2, on Plan 62R-10173, except the most northerly 20.00 metres of Part 2, on Plan 62R-10173.

All in the City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation/Environmental Services or his duly authorized agent is hereby authorized to open as public highway the said lands.

3. This by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this

day of

A.D. 1995

City Clerk

Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 95-

**TO INCORPORATE CITY LAND
DESIGNATED AS PART 7, PLAN 62R-13077
INTO ARTISTIC BOULEVARD**

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to incorporate a portion of the highway known as Artistic Boulevard within its limits, the land described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Artistic Boulevard.

Part of Lot 3, Concession 6, in the geographic township of Barton, designated as Part 7, Plan 62R-13077.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation/Environmental Services or his duly authorized agent is hereby authorized to open as public highway the said lands.

3. This by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this

day of

A.D. 1995

City Clerk

Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 95-

**TO INCORPORATE CITY LAND
DESIGNATED AS PART 9, PLAN 62R-13077
INTO EMBASSY DRIVE**

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to incorporate a portion of the highway known as Embassy Drive within its limits, the land described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Embassy Drive.

Part of Lot 3, Concession 6, in the geographic township of Barton, designated as Part 9, Plan 62R-13077.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation/Environmental Services or his duly authorized agent is hereby authorized to open as public highway the said lands.
3. This by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this day of A.D. 1995

City Clerk

Mayor

BY-LAW NO. 95 -

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 23 (Hamilton Street Railway Bus Stops)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended:

(a) by deleting from the INBOUND Column:

"Cannon (N/S) 25 feet east of Balsam (N/S)"

and by adding thereto the following item, namely:-

"Cannon, north side, 115 feet west of Balsam (F/S)".

(b) by adding to the OUTBOUND Column:

"Beach, south side, 23 feet west of Albermarle (N/S)".

2. **Schedule 26 (No Parking Areas)** is hereby amended by deleting therefrom the following items, namely:-

"Market	South	From 94 ft. west of Queen to 238 ft. west	7 am - 6 pm	Mon - Fri
East 22nd	West	commencing at a point 69 feet south of Concession to a point 40 feet southerly therefrom	Anytime	
Cliff	Both	Concession to 110 ft. north	Anytime	
Devon	South	Longwood to a point 112 feet westerly	Anytime".	

and by adding thereto the following items, namely:-

"Cliff	East	Concession to 161 feet north	Anytime
Devon	South	Longwood to Bond	Anytime"

3. **Schedule 24 (Parking Meter Locations)** is hereby amended:

(a) by adding to Section 2(a) (Two Hour Limit) the following items, namely:-`

"East 22nd	West	from a point 69 feet north of Concession to a point 40 feet southerly therefrom
Cliff	West	Concession to 110 feet north".

Schedule 24 cont'd...

(b) by adding to **Section 3(b) (One Hour Limit)** the following item, namely:-

"Mary East King William to Rebecca".

(c) by deleting from **Section 4(b) (Half Hour Limit)** the following item, namely:-

"Mary East King William to Rebecca".

4. **Schedule 34 (Sticker Permit Parking)** is hereby amended by adding thereto the following item, namely:-

"Craigmillier South commencing at a point 113 feet west of
Ottawa to a point 26 feet westerly therefrom Anytime".

and by deleting therefrom the following item, namely:-

"Fullerton East from a point 151 feet south of Princess
to a point 19 feet southerly therefrom Anytime

Forest South commencing 128 feet west of John to a
point 23 feet westerly therefrom Anytime".

PASSED this day of A.D. 1995.

CITY CLERK

MAYOR

BY-LAW NO. 95 -

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 10 (Stops at Intersections)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by deleting therefrom the following item, namely:-

"Beach	Eastbound and Westbound	Rowanwood".
--------	-------------------------	-------------

and by adding thereto the following item, namely:-

"Beach	Eastbound and Westbound	Depew".
--------	-------------------------	---------

2. **Schedule 35 (Wheelchair Loading Zones)** is hereby amended by adding thereto the following item, namely:-

"Palmer	East	30 feet	111 feet south of the south curb line of Rosanne	7:00 am - 6:00 pm Monday to Saturday".
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3. **Schedule 29 (No Stopping Areas)** is hereby amended by adding thereto the following items, namely:-

"Market	South	commencing at a point 94 feet west of Queen to a point 90 feet westerly therefrom	Anytime
Riverdale	West	commencing at a point 93 feet south of the south curb line of Jerome to a point 51 feet southerly therefrom	Anytime
Queen Victoria	North	commencing at a point 40 feet east of the east curb line of Rainham to a point 74 feet westerly therefrom	Anytime
Queen Victoria	North	commencing 266 feet west of the extended west curb line of Rainham and extending to a point 84 feet westerly therefrom	Anytime".

4. **Schedule 19 (No U Turn at Certain Intersections)** is hereby amended by adding thereto the following item, namely:-

"Acadia	Northbound and Southbound	Butler".
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PASSED this day of A.D. 1995.

CITY CLERK

MAYOR

BY-LAW NO. 95 -

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. Section 33a (Permit Parking) of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by deleting subsection (5) in its entirety and the following substituted therefore:

- "(5) The director of traffic services may, with the approval of the Council, issue a parking permit to an eligible applicant for a fee, payable in advance on a calendar year basis, on or before the first day of January of each year, for a permit parking space in a block designated in Schedule 34, in the amount of not less than \$2.00 per month, except in the case of a space specifically reserved for a disabled person where there will be no charge."

PASSED this

day of

A.D. 1995.

CITY CLERK

MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 95-

**To Remove
Lands within the Acadia Estates Subdivision, Plan 62M-776
from Part Lot Control**

WHEREAS subsection 5 of section 50 of the Planning Act, (R.S.O. 1990, Chapter P.13) establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS subsection 7 of section 50 of the Planning Act, states, in part, as follows:

- (7) Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or part of parts thereof as is or are designated in the by-law, and, where the by-law is approved by the Minister, subsection (5) ceases to apply to such land, . . .;

AND WHEREAS the Minister has delegated his authority to approve by-laws enacted under subsection 7 of section 50 of the Planning Act to the Council of The Regional Municipality of Hamilton-Wentworth pursuant to section 4 of the Planning Act by Ontario Regulation 476/83;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Subsection 5 of section 50 of the Planning Act, shall not apply to the following lands:

Lots 4 to 15 inclusive, and Lots 17 to 22, inclusive, within Registered Plan Number 62M-776, in the City of Hamilton, Regional Municipality of Hamilton-Wentworth.
2. (a) This by-law is subject to the approval of the Council of The Regional Municipality of Hamilton-Wentworth.
- (b) Where this by-law has been enacted and the said approval has been endorsed hereon, it shall be registered on title to the land described in paragraph one above.

PASSED

this day of

A.D. 1995.

CITY CLERK

MAYOR

This Bylaw is approved pursuant to section 50(7), the Planning Act and section 4, Bylaw R89-171 of The Regional Municipality of Hamilton-Wentworth, this day of 1995.

Commissioner of Planning and Development of
The Regional Municipality of Hamilton-Wentworth

The Corporation of the City of Hamilton

BY-LAW NO. 95-

To Amend:

Zoning By-law No. 6593
As Amended by By-law No. 91-061

Respecting:

PART OF LAND LOCATED AT MUNICIPAL NO. 1605 MAIN STREET EAST

WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 91-061 on the 9th day of April 1991 to establish special requirements under Section 19B of Zoning By-law No. 6593 for the "H" District, in respect of the above referred to land, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A";

AND WHEREAS the Ontario Municipal Board by its Decision (File No. Z 920126), dated the 9th day of July 1993, directed that By-law No. 91-061 be amended as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Section 1.(a) of By-law No. 91-061, passed on the 9th day of April 1991, is amended by deleting the number "24" in the third line and substituting therefor the number "30", so that the clause shall read as follows:

"(a) notwithstanding Section 14(1)(iii) of By-law No. 6593, a residential care facility for the accommodation of not more than 30 residents shall be permitted;"

2. In all other respects, By-law No. 91-061 is hereby confirmed, unchanged.

PASSED this day of A.D. 1995

CITY CLERK

MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 95-

To Amend:

Zoning By-law No. 6593
As Amended by Zoning By-laws No. 70-255 and 74-187

Respecting:

**LANDS LOCATED NORTH OF LIMERIDGE ROAD EAST AND
WEST OF UPPER KENILWORTH AVENUE
(PROPOSED EXTENSION OF LOCHEED DRIVE)**

WHEREAS it is intended to change the zoning of the lands hereinafter referred to by amending By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 70-255 on the 8th day of September 1970 to change the zoning and establish special requirements under Section 19B of Zoning By-law No. 6593, for the "DE-2" District and "E-2" District, in respect of the land located in the area west of Upper Kenilworth Avenue extending between Mohawk Road and Limeridge Road, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A", which by-law was approved by the Ontario Municipal Board by Order dated the 25th day of January 1973, (File No. R. 4591), with the exception of those lands comprised in Block 2;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 74-187 on the 27th day of August 1974 to change the zoning and establish special requirements under Section 19B of Zoning By-law No. 6593, for the "C" District, "E-2" District and "G" District, in respect of the land located on the north side of Limeridge Road in the area east of Upper Ottawa Street, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A", which by-law was approved by the Ontario Municipal Board by Order dated the 16th day of April 1975, (File No. R 742072);

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 2 of the 2nd Report of the Planning and Development Committee at its meeting held on the 13th day of December 1994, recommended that Zoning By-law No. 6593, as amended by By-laws No. 70-255 and 74-187 be further amended as hereinafter provided in respect of the above-captioned land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" and forming part of this by-law;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-59a of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "DE-2" (Multiple Dwellings) District, modified to "R-4" (Small Lot Single-Family Detached) District, the lands comprised in Blocks 1 and 4;

- (b) by changing from "E-2" (Multiple Dwellings) District, modified to "R-4" (Small Lot Single-Family Detached) District, the lands comprised in Blocks 2 and 3; and
- (c) by changing from "DE-2" (Multiple Dwellings) District, modified to "C" (Urban Protected Residential, etc.) District, the land comprised in Block 5,

the extent and boundaries of each of which Blocks 1, 2, 3, 4 and 5 are shown on a plan hereto annexed as Schedule "A".

2. Clause (c) of Section 2.(2) of By-law No. 70-255 is amended by deleting "403 dwelling units" and substituting therefor, "326 dwelling units".

3. Paragraph 1 of Section 2 of By-law No. 74-187 is hereby repealed.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-166a and S-346a.

5. Sheet No. E-59a is amended by marking the remaining lands referred to in section 1 of By-law No. 70-255 as amended by section 2 of this by-law, and section 1 of By-law No. 74-187 as amended by section 3 of this by-law, S-166a and S-346a, respectively.

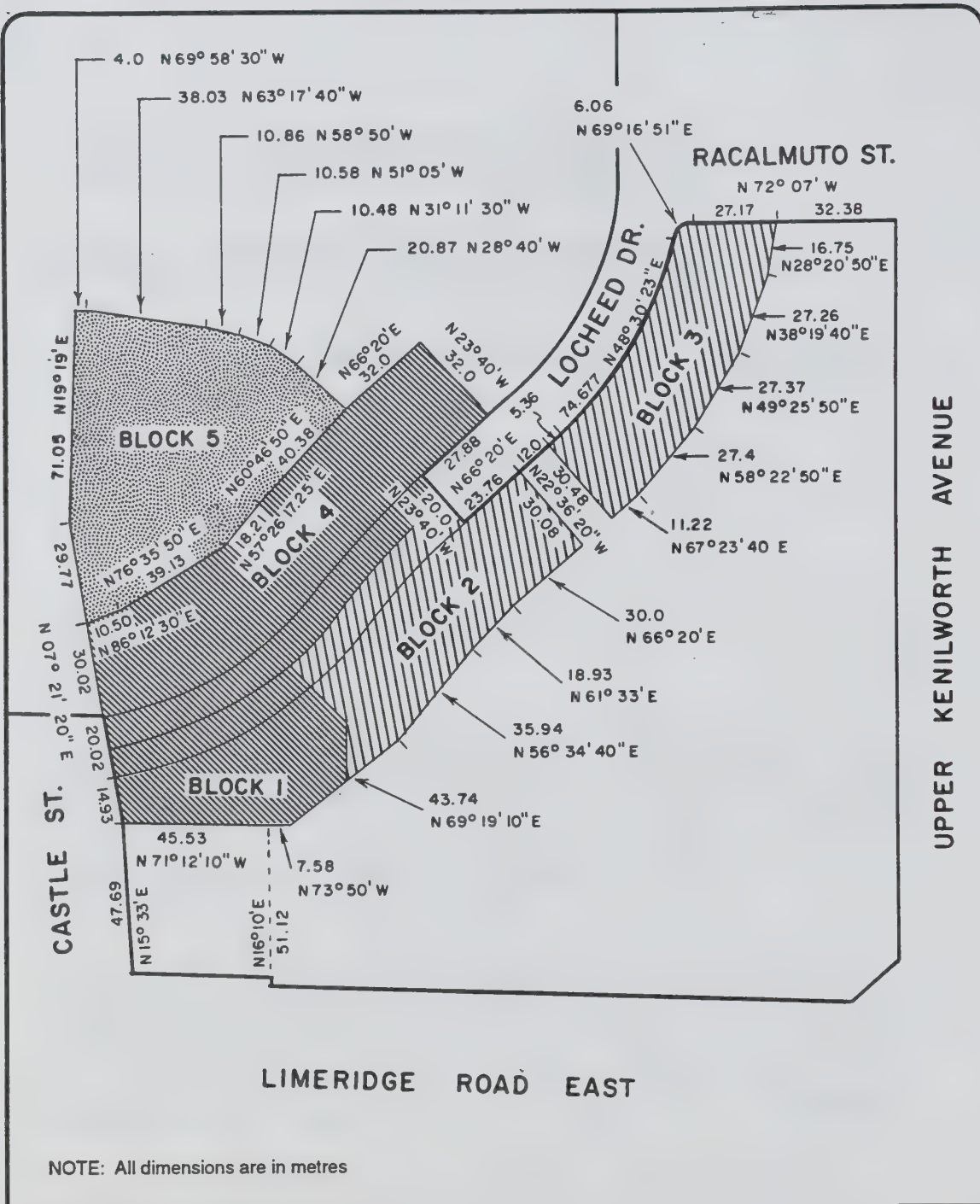
6. In all other respects, By-laws No. 70-255 and 74-187 are hereby confirmed, unchanged.

7. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this day of A.D. 1995

CITY CLERK

MAYOR



This is Schedule "A" to By-Law No. 95-.....
Passed the day of, 1995.

.....
Clerk

.....
Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 95-.....
to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

Change in zoning from:



BLOCKS
1 & 4

"DE-2" (Multiple Dwellings) District, modified to
"R-4" (Small Lot Single-Family Detached) District.



BLOCKS
2 & 3

"E-2" (Multiple Dwellings) District, modified to
"R-4" (Small Lot Single-Family Detached) District.



BLOCK
5

"DE-2" (Multiple Dwellings) District, modified to
"C" (Urban Protected Residential, etc.) District.



North

Scale
Not to Scale

Date
DECEMBER 1994

Reference File No.
ZAC-93-26 AMENDED

Drawn By
Z.K.

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO.95-

TO AUTHORIZE AN EXTENSION AGREEMENT

FOR PAYMENT OF REALTY TAX ARREARS

WHEREAS the Municipal Tax Sales Act, R.S.O. 1990, c.M.60, (hereinafter referred to as the "Act"), states that the Council of a municipality may, by by-law, authorize an Extension Agreement with the owner of land in arrears of realty taxes in excess of three (3) years after the registration of a Tax Arrears Certificate and before the expiry of the one year redemption period;

AND WHEREAS the Municipal Tax Sales Act (section 8) states that the said Extension Agreement may extend the period of time, upon the terms specified therein, within which the Cancellation Price is to be paid;

AND WHEREAS, pursuant to the Municipal Tax Sales Act, the Treasurer did register a Tax Arrears Certificate indicating arrears of realty taxes in excess of three (3) years on the lands described in Schedule "A" annexed hereto,

AND WHEREAS, the said land is recorded by The Corporation of the City of Hamilton under the specific Tax Roll Serial Nos. indicated in Schedule "A" annexed hereto.

AND WHEREAS, The Owners of the lands described in Schedule "A" have requested that the authorize an Extension Agreement to extend the period of time in which the Cancellation Price may be paid.

AND WHEREAS the one year period within which this by-law may be enacted will therefore expire on the days described as the redemption date of Schedule "A" attached hereto.

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. (a) The time open for acceptance and the permitted payments of the Cancellation Price beyond the expiry of the said one year redemption period as set out in Schedule "A" are hereby authorized to be extended pursuant to an Extension Agreement.

(b) The owner of the land described in Schedule "A" may, on or before the redemption date, enter into the Extension Agreement with The Corporation of the City of Hamilton, and the Mayor and City Clerk are hereby authorized to execute the Extension Agreement on behalf of the City.
2. As provided in the Municipal Tax Sales Act, notwithstanding any other provision of this Extension Agreement, it is understood and agreed that while the Extension Agreement remains a subsisting agreement in good standing:

(a) that the Extension Agreement does not reduce the amount of the Cancellation Price.

(b) that the Extension Agreement does not prohibit any person from paying the Cancellation Price at any time.

(c) that any person may pay the Cancellation Price at any time.

(d) that the Extension Agreement terminates upon payment of the Cancellation Price by any person.

(e) that the Extension Agreement shall cease to be considered a subsisting Extension Agreement for purposes of section 9(2) of the Act, when and under what conditions set out in the Extension Agreement.

3. As also provided in the Municipal Tax Sales Act,

(a) while such Extension Agreement is in good standing, the period of such time shall not be counted in calculating the time within which the Cancellation Price may be paid.

(b) upon default by owner in complying with the Extension Agreement or any term thereof, the Extension Agreement shall cease and, (unless there remains time within which the Cancellation Price may be paid and is paid), the land shall be offered for sale by the Treasurer.

PASSED this

day of 1995,/ A.D.,

CITY CLERK

MAYOR

SCHEDULE "A"
EXTENSION AGREEMENTS

A)	PROPERTY ADDRESS	227 MARY
	SERIAL NUMBER	02 01560 5880
	BRIEF LEGAL DESCRIPTION	SVY N HUGHSON PART LOTS 23 & 24
	DATE OF REGISTRATION	APRIL 26, 1994
	INST # OF TAX ARREARS CERTIFICATE	181467
	REDEMPTION DATE	APRIL 26, 1995
	TOTAL ARREARS	\$7,098.50
B)	PROPERTY ADDRESS	22 BELMONT
	SERIAL NUMBER	04 02855 4800
	BRIEF LEGAL DESCRIPTION	PLAN 545 PART LOT 30
	DATE OF REGISTRATION	MAY 19, 1994
	INST # OF TAX ARREARS CERTIFICATE	183891
	REDEMPTION DATE	MAY 19, 1995
	TOTAL ARREARS	\$8,589.23
C)	PROPERTY ADDRESS	58 GARSIDE S
	SERIAL NUMBER	04 03420 4590
	BRIEF LEGAL DESCRIPTION	PLAN 766 LOT 71
	DATE OF REGISTRATION	JUNE 3, 1994
	INST # OF TAX ARREARS CERTIFICATE	185459
	REDEMPTION DATE	JUNE 3, 1995
	TOTAL ARREARS	\$13,173.66
D)	PROPERTY ADDRESS	188 GRAHAM S.
	SERIAL NUMBER	04 03050 7430
	BRIEF LEGAL DESCRIPTION	PLAN 546 LOT 91
	DATE OF REGISTRATION	MAY 19, 1994
	INST # OF TAX ARREARS CERTIFICATE	183888
	REDEMPTION DATE	MAY 19, 1995
	TOTAL ARREARS	\$41,573.61
E)	PROPERTY ADDRESS	188 CAVELL
	SERIAL NUMBER	04 02855 4800
	BRIEF LEGAL DESCRIPTION	PLAN 414 LOT 55 TO 56
	DATE OF REGISTRATION	MAY 18, 1994
	INST # OF TAX ARREARS CERTIFICATE	183726
	REDEMPTION DATE	MAY 18, 1995
	TOTAL ARREARS	\$8,589.23
F)	PROPERTY ADDRESS	316 WOODWARD
	SERIAL NUMBER	05 04920 6700
	BRIEF LEGAL DESCRIPTION	PLAN 593 LOT 40
	DATE OF REGISTRATION	JUNE 3, 1994
	INST # OF TAX ARREARS CERTIFICATE	185464
	REDEMPTION DATE	JUNE 3, 1995
	TOTAL ARREARS	\$8,702.09
G)	PROPERTY ADDRESS	32 BRITANNIA
	SERIAL NUMBER	04 03135 2380
	BRIEF LEGAL DESCRIPTION	PLAN 297 PART LOTS 121, 122 & 123
	DATE OF REGISTRATION	JUNE 3, 1994
	INST # OF TAX ARREARS CERTIFICATE	185460
	REDEMPTION DATE	JUNE 3, 1995
	TOTAL ARREARS	\$13,756.02

SCHEDULE "A"
EXTENSION AGREEMENTS

H)	PROPERTY ADDRESS	101 ROBINS
	SERIAL NUMBER	04 03155 1030
	BRIEF LEGAL DESCRIPTION	PLAN 395 BLOCK C, LOT 88
	DATE OF REGISTRATION	JUNE 3, 1994
	INST # OF TAX ARREARS CERTIFICATE	185461
	REDEMPTION DATE	JUNE 3, 1995
	TOTAL ARREARS	\$8,248.86
I)	PROPERTY ADDRESS	712 UPPER GAGE
	SERIAL NUMBER	07 06320 7670
	BRIEF LEGAL DESCRIPTION	CONCESSION 5, PART LOT 7, BTN HAM
	DATE OF REGISTRATION	JUNE 3, 1994
	INST # OF TAX ARREARS CERTIFICATE	185465
	REDEMPTION DATE	JUNE 3, 1995
	TOTAL ARREARS	\$14,221.47
J)	PROPERTY ADDRESS	1024 KING E.
	SERIAL NUMBER	03 02635 0760
	BRIEF LEGAL DESCRIPTION	PLAN 541 LOT 39 PART LOT 38
	DATE OF REGISTRATION	JUNE 20, 1994
	INST # OF TAX ARREARS CERTIFICATE	186575
	REDEMPTION DATE	JUNE 20, 1995
	TOTAL ARREARS	\$62,666.42
K)	PROPERTY ADDRESS	1291 CANNON E.
	SERIAL NUMBER	04 03120 2500
	BRIEF LEGAL DESCRIPTION	PLAN 297 PART LOTS 240, 241 & 242
	DATE OF REGISTRATION	SEPTEMBER 2, 1994
	INST # OF TAX ARREARS CERTIFICATE	193147
	REDEMPTION DATE	SEPTEMBER 2, 1995
	TOTAL ARREARS	\$7,337.94
L)	PROPERTY ADDRESS	224 MARY
	SERIAL NUMBER	02 01560 7380
	BRIEF LEGAL DESCRIPTION	PLAN 287 NORTH HALF LOT 17
	DATE OF REGISTRATION	SEPTEMBER 16, 1994
	INST # OF TAX ARREARS CERTIFICATE	194088
	REDEMPTION DATE	SEPTEMBER 16, 1995
	TOTAL ARREARS	\$13,228.35

BY-LAW NO. 95 -

**TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF
THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 14th DAY OF
MARCH A.D., 1995.**

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

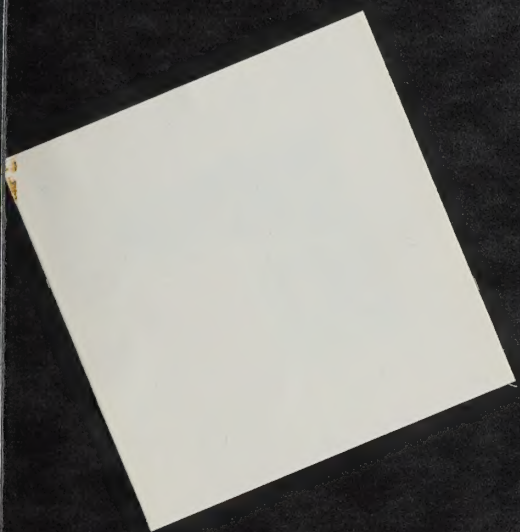
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 14th day of March A.D. 1995

CITY CLERK

MAYOR



HAMILTON PUBLIC LIBRARY



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